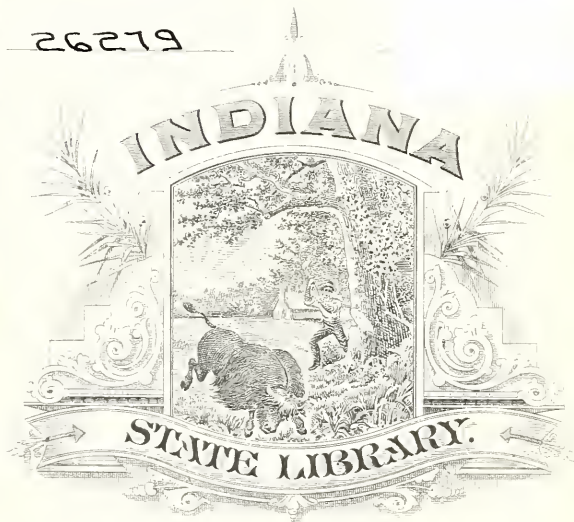



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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES,
OF THE
STATE OF INDIANA,
DURING THE
THIRTY-FOURTH SESSION,
OF THE
GENERAL ASSEMBLY,
COMMENCING
DECEMBER 3, 1849.

INDIANAPOLIS:
JOHN D. DEFREES, STATE PRINTER.
1849.

26279

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES,
OF THE
STATE OF INDIANA,

During the thirty-fourth session of the General Assembly, begun and held in the City of Indianapolis, on Monday, the third day of December, one thousand eight hundred and forty-nine ; being the day fixed by the Constitution of the State for the meeting of the same.

The House having been called to order by Douglass Maguire, Auditor of State, the following members appeared, produced their credentials, were sworn into office by the Hon. Isaac Blackford, one of the Judges of the Supreme Court of Indiana, and took their seats :

From the Counties of Adams and Wells.—Samuel S. Mickle.

From the County of Allen.—Oehmig Bird.

From the Counties of Blackford and Jay.—Robert Huey.

From the County of Bartholomew.—Gideon B. Hart and Thomas Essex.

From the County of Boone.—Lorenzo C. Dougherty.

From the Counties of Benton, Pulaski, Jasper, and White.—William H. Salter.

From the County of Carroll.—Samuel Weaver.

From the Counties of Cass and Howard.—Charles D. Murray.

From the County of Clarke.—James G. Caldwell and James S. Athon.

From the County of Clay.—Francis B. Yocum.

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From the Counties of Clinton and Tipton.—Ephraim Byers.

From the County of Crawford.—John Landis.

From the County of Daviess.—Benjamin Goodwin.

From the County of Dearborn.—Daniel Conaway and Joseph F. Watkins.

From the Counties of DeKalb and Steuben.—Edward R. May.

From the County of Delaware.—Samuel Orr.

From the County of Dubois.—Henry W. Barker.

From the County of Elkhart.—Michael C. Dougherty and Joseph H. Deerees.

From the County of Fayette.—Charles M. Stone.

From the County of Fountain.—Andrew M. Carnahan.

From the County of Franklin.—Andrew J. Ross and John Cleaver.

From the County of Floyd.—Joshua B. Farnesly.

From the Counties of Fulton and Marshall.—Hugh Miller.

From the County of Gibson.—Silas M. Holcomb.

From the County of Grant.—John W. Dodd.

From the County of Greene.—Andrew Humphreys.

From the County of Hamilton.—Thomas Harvey and Wm. Stoops.

From the County of Hancock.—John Alley.

From the County of Harrison.—George P. R. Wilson.

From the County of Hendricks.—Samuel A. Russell.

From the County of Henry.—Simon Summers and Samuel W. Stewart.

From the Counties of Huntington and Whitley.—John S. Cotton.

From the County of Jackson.—Samuel T. Wells.

From the County of Jefferson.—Alexander C. Thom, John H. Bowen, and William C. Hillis.

From the County of Jennings.—Hiram Prather.

From the County of Johnson.—Gilderoy Hicks.

From the County of Knox.—Horace B. Shepard.

From the County of Kosciusko.—William C. Graves.

From the Counties of Lagrange and Noble.—Rufus D. Keeney.

From the Counties of Lake and Porter.—Lewis Warriner.

From the County of Laporte.—Alexander H. Robinson and William Millikin.

From the County of Lawrence.—George W. Carr.

From the County of Madison.—Evan Ellis.

From the County of Marion.—William Robson.

From the County of Martin.—William E. Niblack.

From the Counties of Miami and Wabash.—Alphonso A. Cole.

From the Counties of Monroe and Brown.—Lemuel Gentry.

From the County of Montgomery.—James F. Harney and William Campbell.

From the County of Morgan.—Alfred M. Delavan.

From the Counties of Ohio and Switzerland.—John W. Spencer and John W. Wright.

From the County of Orange.—William F. Sherrod.

From the County of Owen.—James F. Miller.

From the County of Parke.—Samuel H. Johnson and Andrew Tinbrook.

From the County of Perry.—Frederick Conner.

From the County of Pike.—James R. Withers.

From the County of Posey.—M. F. Carnahan and George W. Thomas.

From the County of Putnam.—Higgins Lane and William D. Allen.

From the County of Randolph.—Elza Lank and James Brown.

From the County of Ripley.—Hiram Knowlton.

From the County of Rush.—Greenberry Rush.

From the County of Scott.—Alonzo A. Morrison.

From the County of Shelby.—George W. Brown.

From the County of Sullivan.—James K. O'Haver and James H. Weir.

From the County of St. Joseph.—Mark Whinery.

From the County of Tippecanoe.—Thomas O'Neal, Isaac Shelby, and Alexander L. Patterson.

From the County of Union.—James Leviston.

From the County of Vanderburgh.—William R. Greathouse.

From the County of Vermillion.—Robert J. Gessie.

From the County of Vigo.—William K. Edwards and Lenas A. Burnet.

From the County of Warren.—Robert A. Chandler.

From the County of Warrick.—Armer Reed.

From the County of Washington.—John L. Menaugh and James A. Cravens.

From the County of Wayne.—James Elder, Isaac N. Beard, and Oliver Butler.

Mr. Cravens stated that Mr. William B. Richardson was present and had in his possession papers to show his right to a seat as the member elect from the county of Spencer, though Mr. John W. Graham, who was not present, had received the certificate from the clerk of the Spencer circuit court.

The Auditor stated that he doubted his right to entertain a motion, touching the right of a member to a seat, before the House was organized;

When the motion was passed over informally for the present.

On motion by Mr. Mickle,

The House proceeded to the election of Speaker, Messrs. Hicks and Gessie acting as tellers.

On counting the votes, it appeared that—

George W. Carr received	-	-	-	56 votes.
William K. Edwards received	-	-	-	38 votes.

George W. Carr having received a majority of all the votes given, was declared duly elected Speaker of the House of Representatives for and during the present session, and was conducted to the chair

by Messrs. Dodd and Wilson, and, in a brief address, returned his thanks to the House for the honor conferred upon him, and solicited their united co-operation in the work of legislation.

On motion by Mr. Prather,

The House proceeded to the election of Principal Clerk, Messrs. Huey and Wilson acting as tellers.

On counting the votes it appeared that—

John M. Lord received	-	-	-	46 votes.
Isaac Smith received	-	-	-	35 votes.
John B. Hall received	-	-	-	12 votes.
Robert P. Gray received	-	-	-	1 vote.
Blank	-	-	-	2 votes.

No person having received a majority of all the votes given, the House proceeded to a second balloting.

On counting the votes, it appeared that—

John M. Lord received	-	-	-	59 votes.
Isaac Smith received	-	-	-	26 votes.
John B. Hall received	-	-	-	11 votes.

John M. Lord having received a majority of all the votes given, was declared duly elected Principal Clerk of the House of Representatives for and during the present session, was sworn into office, and entered upon the discharge of its duties.

On motion by Mr. Cravens,

The House proceeded to the election of Assistant Clerk, Messrs. Cravens and Summers acting as tellers.

On counting the votes, it appeared that—

Andrew J. Boone received	-	-	-	28 votes.
Samuel S. Crome received	-	-	-	19 votes.
Charles N. Shook received	-	-	-	13 votes.
Thomas H. Bruner received	-	-	-	12 votes.
E. N. Bowman received	-	-	-	6 votes.
—— Pettingill, received	-	-	-	17 votes.
Scattering,	-	-	-	1 vote.

No person having received a majority of all the votes given, the House proceeded to a second balloting.

On counting the votes, it appeared that—

Andrew J. Boone received	-	-	-	52 votes.
Samuel S. Crome received	-	-	-	20 votes.
Charles N. Shook received	-	-	-	2 votes.
Thomas H. Bruner received	-	-	-	4 votes.
E. N. Bowman received	-	-	-	3 votes.
—— Pettingill received	-	-	-	13 votes.
Blank,	-	-	-	1 vote.

Andrew J. Boone having received a majority of all the votes given, was declared duly elected Assistant Clerk of the House of Representatives for and during the present session, was sworn into office, and entered upon the discharge of his duties.

On motion by Mr. Brown of Shelby,

The House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

On motion by Mr. Brown of Shelby,

The House proceeded to the election of Door Keeper, Messrs. Brown of Shelby and Robinson of Laporte acting as tellers.

On counting the votes, it appeared that—

L. B. McKinney received	-	-	-	6 votes.
David Cody received	-	-	-	14 votes.
Mr. Huntington received	-	-	-	2 votes.
J. B. Hopkins received	-	-	-	4 votes.
Thomas P. Albertson received	-	-	-	9 votes.
James B. Say received	-	-	-	3 votes.
D. Parsley received	-	-	-	2 votes.
W. Holmes received	-	-	-	3 votes.
Mr. Carey received	-	-	-	7 votes.
Mr. Berryhill received	-	-	-	1 vote.
James Woods received	-	-	-	11 votes.
Mr. Harbison received	-	-	-	8 votes.
Mr. Wainscot received	-	-	-	3 votes.
James P. Tyler received	-	-	-	15 votes.
Mr. Caster received	-	-	-	3 votes.
Mr. Berryman received	-	-	-	1 vote.
Blank,	-	-	-	1 vote.

No person having received a majority of all the votes given, the House proceeded to a second balloting, and on counting the votes, it appeared that—

Mr. Cody received	-	-	-	29 votes.
J. B. Hopkins received	-	-	-	—
Mr. Tyler received	-	-	-	24 votes.
Mr. Carey received	-	-	-	15 votes.
Mr. Woods received	-	-	-	7 votes.
Mr. Harbison received	-	-	-	2 votes.
Mr. Albertson received	-	-	-	6 votes.

Mr. Wainscot received	-	-	-	3 votes.
Mr. McKinney received	-	-	-	1 vote.
Mr. Berryman received	-	-	-	3 votes.
Mr. Say received	-	-	-	3 votes.
Mr. Caster received	-	-	-	1 vote.
Mr. Berryhill received	-	-	-	1 vote.
Mr. Huntington received	-	-	-	1 vote.

Henry B. Hill, member elect from the county of Rush, and William J. Robinson, member elect from the county of Decatur, appeared, produced their credentials, were sworn into office, and took their seats.

No person having received a majority of all the votes given the House proceeded to a third balloting for Doorkeeper.

On counting the votes, it appeared that—

David Cody received,	-	-	-	40 votes.
James P. Tyler received,	-	-	-	14 votes.
Mr. Cary,	-	-	-	22 votes.
James Woods,	-	-	-	11 votes.
T. P. Albertson,	-	-	-	2 votes.
Mr. Wainscott,	-	-	-	1 vote.
Mr. Berryman,	-	-	-	2 votes.
Mr. Huntington,	-	-	-	2 votes.
E. B. Thorne,	-	-	-	1 vote.
Mr. Berryhill,	-	-	-	1 vote.

No person having received a majority of all the votes given, the House proceeded to a fourth balloting.

On counting the votes, it appeared that—

Mr. Cody received,	-	-	-	63 votes.
Mr. Tyler received,	-	-	-	6 votes.
Mr. Cary received,	-	-	-	25 votes.
Mr. Woods,	-	-	-	3 votes.
Mr. Berryman,	-	-	-	1 vote.

David Cody, having received a majority of all the votes given was declared duly elected Doorkeeper of the House of Representatives, for and during the present session, was sworn into office and entered upon the discharge of his duties.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have convened ; elected Frank Emerson, Prin-

cipal Secretary; Beattie McClelland, Assistant Secretary; Joseph A. Messick, Doorkeeper; and are now ready to proceed to legislative business.

On motion by Mr. Bird,

Resolved, That the Clerk inform the Senate that the House of Representatives have convened, formed a quorum, elected George W. Carr, Speaker; John W. Lord, Principal Clerk; Andrew J. Boone, Assistant Clerk; and David Cody, Doorkeeper.

On motion by Mr. Spencer,

Resolved, That a committee of two, on the part of the House of Representatives, be appointed, to act with a similar committee on the part of the Senate, to wait on his Excellency the Governor, and inform him that the two houses have elected their officers and are now ready to receive any communication he may be pleased to make to them, and to know at what time he will make such communication, and that the Senate be informed of the adoption of this resolution.

Messrs. Spencer and Edwards were appointed said committee on the part of the House of Representatives.

On motion by Mr. Mickle,

Resolved, That the rules and joint rules which were in force at the last session, be adopted for the government of this House, and that the Senate be informed of the adoption of this resolution.

On motion by Mr. Mickle,

Resolved, That when this House adjourn, it adjourn to meet tomorrow morning at nine o'clock, and that that be the order of meeting until otherwise ordered by the House.

On motion by Mr. Dougherty, of Boone,
The House adjourned.

TUESDAY MORNING, DECEMBER 4, 1849.

The House met.

The journal of the preceding day was read and adopted.

The Speaker laid before the House the following communication from his Excellency the Governor :

EXECUTIVE DEPARTMENT,
Dec. 4, 1849.

To the House of Representatives:

GENTLEMEN:—William C. Tarkington, Esq., of Monroe county, is authorized to bear Executive Communications from this Department to the House of Representatives, during the present session.
PARIS C. DUNNING.

The Spaaaker laid before the House the following communication from the Auditor of State :

AUDITOR OF STATE'S OFFICE,
Indianapolis, Dec. 4, 1849. }

TO THE HON. GEORGE W. CARR,

Spcaaker House af Representatives:

Sir:—Be pleased to lay before the House of Representatives the Annual Report required by law to be made from this Office to the General Assembly, and oblige,

Very respectfully,

Your obedient servant,

D. MAGUIRE,

Auditor of State.

Mr. Withers moved that 2000 copies of the Report of the Auditor of State be printed.

Mr. Prather moved to amend the motion, by adding "3000 additional copies."

Which motion prevailed.

On motion by Mr. Edwards,

Resolved, That the House will, the Senate concurring therein, proceed this day, at the hour of 11 o'clock, A M., to open and publish the vote cast for Governor and Lieutenant Governor, in this State at the last annual August election.

On motion by Mr. Dougherty of Boone,

Resolved, That the Reporters of the respective papers of this city be permitted to occupy seats within the bar of the House, during the present session.

Mr. Mickle moved to strike out "city," and insert "State."

Which motion prevailed.

The resolution as amended was adopted.

On motion by Mr. Cravens,

Resolved, That a committee of two be appointed by the Speaker, to wait upon the Rev. John Bayless, and request him to attend in the Hall of the House of Representatives, on Wednesday morning, the 5th inst., to invoke the blessings of Divine Providence upon the members of the Legislature.

The Speaker appointed Messrs. Cravens and Gessie, said committee.

Mr. Morrison offered the following resolution:

Resolved, That the Door Keeper act as Sergeant-at-Arms during the present Session.

Mr. Mickle moved to amend, by adding "that he be allowed no additional compensation;"

Which motion prevailed.

Mr. Spencer offered the following resolution:

Resolved, That this House will, the Senate concurring therein, go into the election of Agent of State, on Friday, the 7th inst., at 10 o'clock, A. M.

Mr. Chandler moved to amend, by adding after the words "Agent of State;" the following: "Auditor and Treasurer of State, and President Judge of the 5th Judicial Circuit, of the State of Indiana."

On motion by Mr. Wilson,

The resolution and amendment was laid on the table.

On motion by Mr. Prather,

Resolved, That the Door Keeper be directed to furnish each member of this House with the Journals and Acts of the last session, also the Revised Statutes of 1843.

Mr. Mickle offered the following resolution:

Resolved, That the Door Keeper be directed to furnish this House with 300 copies of the rules and Joint Rules thereof, for the use of the members.

Mr. Allen moved to strike out 200,

Which motion prevailed.

The resolution as amended, was adopted.

The Speaker laid before the House the papers relating to the right of Mr. William B. Richardson to a seat in this House, as the member from the County of Spenser.

The Clerk proceeded to read the papers—

When,

On motion by Mr. Cravens,

A further reading of the papers was dispensed with.

Mr. Cravens moved to refer the papers to a select committee of five.

Which motion prevailed.

The Speaker appointed Messrs. Cravens, Wilson, Chandler, Edwards, and Dougherty of Boone, said committee.

Mr. Dougherty of Boone moved to reconsider the vote on referring the papers.

Which motion did not prevail.

A message from the Senate, by Mr. Emerson, their Secretary.

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate have adopted on their part for the government of the two Houses of the present General Assembly, the Joint Rules adopted at the last session, and they respectfully request the adoption of the same on the part of the House of Representatives.

On motion,

The foregoing message was reciprocated.

On motion by Mr. Mickle,

Resolved, That the Door Keeper be authorized to employ three assistants, at a compensation not to exceed two dollars per day.

Mr. Prather moved to amend by striking out "two dollars," and inserting "three dollars."

The ayes and noes being demanded by Messrs. Withers and Mickle,

Those who voted in the affirmative are,

Messrs. Cleaver, Cole, Cravens, Dodd, Edwards, Gessie, Goodwin, Graves, Greathouse, Hill, Hillis, Menaugh, Millikin, Morrison, Murray, Niblack, Prather, Robinson of Laporte, Robson, Ross, Rush, Russell, Shepard, Summers, Stone, Thom, Tinbrook, Watkins, Weaver, Wells, Wier, Wilson, Whinery, and Mr. Speaker—34.

Those who voted in the negative are,

Messrs. Allen, Alley, Athon, Barker, Beard, Bird, Bowen, Brown of R., Brown of S., Butler, Byers; Caldwell, Campbell, Carnahan of Fountain, Carnahan of Posey, Chandler, Conaway, Cotton, De-frees, Delavan, Dougherty of Boone, Dougherty of Elkhart, Elder, Ellis, Essex, Farnesly, Gentry, Harney, Hart, Harvey, Hicks, Holcomb, Huey, Humphreys, Johnson, Keeny, Landis, Lane, Lank, Leviston, May, Mickle, Miller of M. and F., Miller of Owen, O'Haver, O'Neal, Orr, Patterson, Reed, Robinson of Decatur, Salter, Shelby, Sherrod, Spencer, Stewart, Stoops, Thomas, Warriner, Withers, Wright, and Yocum—61.

So the amendment did not prevail.

Mr. Dodd then moved to amend by adding "and such other help as may be necessary."

Which amendment did not prevail.

Mr. Cole moved to amend by striking out "three," and inserting "two."

Which motion did not prevail.

The question then recurring on the adoption of the resolution, was decided in the affirmative.

On motion by Mr. Millikin,

Resolved, That the Principal and assistant Clerks of this House, shall not receive for their services as Clerks, more than \$3.00 per day, and that their assistants shall not be entitled to receive more than \$2.00 per day.

On motion by Mr. Chandler,

Resolved, That the Door Keeper be instructed to furnish each member with the acts of 1848.

Mr. Niblack offered the following resolution:

Resolved, That the Door Keeper of this House be authorized to contract with the proprietors of the several newspapers published in this city, to furnish for the use of the members of said House, six copies of said newspapers, during the present session of this Legislature.

Mr. Chandler moved to amend by striking out "six," and inserting "three."

Mr. Allen moved to add "at the expense of each member."

Which motion did not prevail.

The question then recurring on the amendment of Mr. Chandler, was decided in the affirmative.

The resolution as amended, was adopted.

Mr. Butler offered the following resolution:

Resolved, That a select committee of three be appointed, with instructions to inquire into the expediency of abolishing the office of Agent of State, and assigning the duties thereof to the Auditor of State, and to report thereon as soon as practicable.

Mr. Prather moved to amend, by adding "Auditor and Treasurer of State," in place of "Auditor of State."

Which motion did not prevail.

Mr. Caldwell moved to amend, by adding "Auditor or Treasurer," in lieu of "Auditor."

Which motion prevailed.

The resolution as amended, was adopted.

The Speaker appointed Messrs. Butler, Chandler, and O'Haver, said committee.

Mr. Chandler offered the following resolution:

Resolved, That the Door Keeper be instructed to furnish each member with the Revised Code of 1843, and the general Laws from the date of the revision to 1849, and the Journal of the House of 1849.

Mr. Dougherty of Boone moved to amend, by inserting "instantly;"

Which amendment prevailed.

The resolution as amended, was adopted.

On motion by Mr. Gessie,

Resolved, That the editors of the respective papers, send the said papers to whom the same may be directed by the members of this Legislature.

A message from the Senate, by Mr. Emmerson their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the resolution of the House, appointing this day, at 11 o'clock, to open and count the votes cast for Governor and Lieutenant Governor at the last annual election, and have appointed Messrs. Randall and Walpole a committee on the part of the Senate, to assist in opening and counting said votes.

On motion by Mr. Dougherty of Boone,

Resolved, That the Door Keeper is hereby instructed to subscribe for such papers only, on part of this House, as report the proceedings of this General Assembly.

The Speaker appointed Messrs. Mickle and Wilson a committee on the part of the House, to count the votes for Governor and Lieutenant Governor.

On motion by Mr. Edwards,

Resolved, That the Senate be invited to attend in the Hall of the House, *instantly*, to proceed to open and publish the vote cast for Governor and Lieutenant Governor, at the last annual election.

A message from the Senate, by Mr. Emmerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have adopted the following resolution, to-wit:

Resolved, That a committee of two be appointed on the part of the Senate, to act with a similar committee on the part of the House of Representatives, to wait upon his Excellency, the Governor, and inform him that the two Houses are fully organized, and are ready to receive any communication he may be pleased to make to them, and to know at what time he will make any such communication.

In which the concurrence of the House is respectfully requested.

Messrs. Sleeth and Harvey have been appointed on the part of the Senate.

On motion,

The resolution of the Senate was reciprocated on the part of the House.

On motion,

The Senate was invited to attend in the Hall of the House, for the purpose of opening and publishing the votes for Governor and Lieutenant Governor, cast at the last annual August election.

The Senate then came into the Hall of the House, when the joint committee of both Houses proceeded to open the returns of the votes for Governor and Lieutenant Governor, which were published by the Speaker.

Before the returns were all opened—

The Joint Convention adjourned to meet at 4 o'clock, P. M.

Mr. Spencer made the following report:

MR. SPEAKER :

The committee appointed on the part of this House, to act with a similar committee on the part of the Senate, to wait on his Excellency the Governor, and inform him that the two houses have elected their officers, and are now ready to receive any communication he may be pleased to make to them, and to know at what time he will make such communication, have attended to the duty assigned them, and are authorized to inform this House that his Excellency will attend this day, at half past 2 o'clock, P. M., for the purpose of making such communication.

On motion by Mr. Carnahan of Posey,
The House adjourned to meet at 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

On motion by Mr. Holcomb,

Resolved, That the Senate be invited to attend in the Hall of Representatives, instantler, to hear the message of his Excellency the Governor, and that seats be provided for them on the right of the Speaker's chair.

A message from the Senate, by Mr. Emmerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution, to-wit :

Resolved, That the Senate will, the House of Representatives concurring therein, proceed to the election of Auditor and Treasurer of State, on Friday next, at 10 o'clock, A. M., to fill the vacan-

cies occasioned by the expiration of the terms of office of the present incumbents.

In which the concurrence of the House of Representatives is respectfully requested.

Which was concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

The Senate then came into the Hall of the House and took their seats on the right of the Speaker's chair, when his Excellency, the Governor, came in and delivered the following Message in the presence of both Houses :

*Gentlemen of the Senate and of the
House of Representatives :*

Having assembled as the Representatives of the people, in obedience to the requirements of the constitution, for the purpose of deliberating upon such measures of public policy as are best calculated to maintain and advance the political and social prosperity of the people of Indiana, the acknowledgment of our gratitude is due to Almighty God for the manifold blessings with which he has crowned the year.

This assembling of the people's Representatives, devolves upon me the performance of a constitutional duty, which I discharge with cheerfulness, yet I trust with becoming diffidence.

A retrospective view of the affairs of our State, presents as many substantial causes for congratulation, as at any former period of her history. Agricultural industry—the great and reliable source of the prosperity of our people—has met with its merited reward, and the enterprising spirit of our citizens has been crowned with that success which it so richly deserves. The people of our own, in common with those of many of the other States of our beloved country, have been, during the past year, severely afflicted by the cholera, that desolating scourge of mankind; yet it is gratifying to know that the melancholy reminiscences of its fearful march through our midst, are being obliterated by the smiles of returning health.

The general prosperity of our beloved country, is a just source of pride and congratulation to every American citizen. Whilst some of the oldest governments of the world are tottering to their fall, by the revolutionary spirit of their citizens, our Republican institutions—simple, yet sublime in their structure—based in the affections—identified with the interests—incorporated with the feelings—and sustained by the will of a free and intelligent people—are diffusing over their citizens the benign influences of domestic quiet, wholesome laws, and the preservation of their civil and religious rights and privileges.

The permanent and continued prosperity of our country in every department of business, especially in the agricultural portion of it, upon which we must mainly rely for the great bulk of our national

wealth, I can but think is mainly attributable to the healthful influence of the national revenue system adopted by the Congress of the United States in 1846.

It is a political axiom too obvious to be controverted, that the ability of the people of one nation to buy the produce of another, is limited by the ability to pay for the same by the surplus products of their own industry. The adoption of a low rate of tariff duties in 1846 at home, and a corresponding relaxation of the stringent restrictions upon commerce abroad, have not only had the effect to bring into the treasury of the United States a greater amount of revenue, but also to increase greatly the profits of the agricultural, manufacturing, and commercial classes of community.

Should this beneficent system, by which the millions engaged in agriculture are enabled to procure a wider and more favorable market for the surplus products of their labor, be suffered to continue, it is confidently believed that the permanent prosperity of the toiling millions of our population will be placed upon a durable basis.

By a treaty of peace recently entered into between the United States and the Republic of Mexico, our Government has acquired a large extent of territory which must, at no distant day, be erected into separate state governments, and provided with organic laws. The public mind has become too much agitated upon a question of vital importance connected with the character of those organic laws, to be passed over in silence upon the present occasion. There is but little diversity of sentiment amongst the people of Indiana upon the question of human slavery; yet, as decidedly as are the opinions of our people opposed to this institution, we have ever manifested an unwillingness to interfere with the constitutional rights of our brethren of the slave States upon this very delicate subject. The territory thus acquired has come to us free. The question is now presented to the American people, whether this territory shall remain free. It cannot be doubted that the response of the people of Indiana to this momentous question, will be in favor of freedom. Whilst we are in favor of freedom, let us exercise that forbearance towards our political brethren of the slave States of this Union, which characterizes the conduct of the patriot and statesman. Nevertheless, it is our imperative duty to assert our rights as members of the same great family, and manfully resist, by all legal and constitutional means, the further advancement of slavery into territory belonging to the General Government. That Congress possesses this power does not admit of a doubt, and the only remaining question to be determined is, whether it is expedient to exercise that right. To decide this question affirmatively, the reflecting mind need only glance over the history of our beloved country—the rise and progress in the arts and sciences—in manufactures, mechanics, internal improvements, and every other great element of social and political happiness in the States of this Union, but too plainly admonish us that bounds should be prescribed to the

baleful influence of human slavery. It may be said, however, that this territory was acquired by the common blood and treasure of the Nation, and consequently we should not agitate this subject. To this objection it may well be answered that this territory is common property—the people of the Union are the owners—they constitute one great confederacy of States, and that all questions involving common property and the common welfare, must ever be submitted to the wisdom and discretion of Congress. The propriety of expressing, by a joint resolution of the General Assembly, the voice of the people of Indiana upon this exciting question, is respectfully suggested.

It is a source of gratification to be enabled to state that our financial condition still continues to improve. It is the most unerring evidence of the increasing prosperity of the country.

The ordinary expenditures of the State Government for the fiscal year ending on the 31st day of October, 1849, were \$74,469 89.

The ordinary expenditures for the current fiscal year, are estimated by the Auditor of State, at \$72,000.

The amount of revenue paid into the State Treasury, during the last year on all accounts, was \$441,650 22, which exceeds the amount paid the previous year \$28,901 49.

The assessment for State purposes for 1849, (estimating the counties of Cass, Fountain, Jackson, Lake, Pulaski, Spencer, and Whitley, from which no returns have been received, as they were last year,) is \$508,537 81, and for county, road, school, and township purposes collectively, \$630,570 90. Adding to these sums the delinquencies of former years uncollected, amounting to \$163,993 38, and the whole amount on the duplicates for 1849 will be \$1,302,202 09.

The number of polls returned for 1849, (estimating the seven counties above mentioned, from which no returns have been received, as they were last year,) is 143,720, being an increase over the returns of last year of 7,445. The value of the entire property of the State subject to taxation as returned for 1849, (estimating the counties not returned as they were last year,) is \$133,419,056, which is an increase over last year of \$4,458,070.

The rate of delinquency in the collection of taxes for 1848 is about \$15 65 on the \$100, or a little less than one-sixth; the average delinquency is very much increased by a heavy delinquency, which has been continued from year to year on the duplicates, much of which will never be collected. The delinquency in a large majority of the counties is small, and the collections creditable to the people and to the Treasurers.

It will be seen, from the foregoing statement, that the increase on the number of polls, taxable property, and amount of taxes, has been greater for the past year than for many previous years.

It is confidently believed that much improvement might be made in our revenue system, especially so as to embrace a species of property to a large amount, which too frequently escapes taxation,

(such as corporation and other stocks, money on hand or at interest, and many other articles of a valuable nature,) thereby lightening the burden of taxation, which now rests most heavily upon the agricultural portion of the community.

I respectfully submit for your consideration, as a matter of justice to the Executive, and of sound economy to the public service, the propriety of re-establishing the office of Private Secretary to the Governor, with an annual salary sufficient to compensate him for his services. An officer of this character can very materially aid the Executive in the performance of many official duties. The incidental expenses which the Executive is bound to incur during the year, added to the amount very properly allowed at every session of the Legislature, to an Executive Messenger, would be sufficient to procure the services of a gentleman amply qualified for the discharge of the duties of the office, and in whom the necessary confidence could be reposed.

In 1847, when the arrangement of the State's indebtedness was made with her creditors, the debt, exclusive of interest, was \$11,-045,000. There has been surrendered and converted into new stock, to 1st July last,

-	-	-	-	-	-	-	\$9,530,000
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Since July 1st, - - - - -

-	-	-	-	-	-	-	33,000
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Making,	-	-	-	-	-	-	-	\$9,563,000
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Leaving yet to come into this arrangement, 1488 bonds or \$1,488,000. These bonds are held in Europe and in this country, and are coming in gradually. I am informed by the Agent of State, that he entertains but little doubt that all will be surrendered so soon as arrangements can be made by the holders to obtain the assent of the parties interested. I am induced to concur in opinion with this officer, for the additional reason that the holders must be satisfied that the State will not soon, if ever, make any different arrangement for their liquidation.

The semi-annual interest due to our creditors under the two acts of the Legislature of 1846 and 1847, providing for the settlement of our State debt, was punctually paid at the Indiana Agency in the City of New York, on the 1st of July last, amounting to \$95,300. A portion of this sum, say \$79,000, was borrowed of the Commissioners of the Sinking Fund and of the Banks. The authority to make this loan is given by the 44th section of an act of the last Legislature, entitled "An act making general appropriations, &c., for the year 1849, and for other purposes," (approved January 16th, 1849,) to the Governor, Auditor, and Treasurer of State, to be exercised in their sound discretion. There was no diversity of opinion as to the expediency of exercising that authority. Many considerations prompted us to adopt the course indicated in the law referred to, some of the most prominent of which are—

1st. That the State stock was then at a price which placed it by the side of the stock of the regular dividend paying States—to

withhold or postpone a dividend, would inevitably have depreciated it, and impaired the re-established credit of the State.

2d. The State was and is now deeply interested in the completion of the Wabash and Erie Canal, and more particularly the citizens of that fertile and improving portion of it from Terre Haute to Evansville, which has never heretofore received the encouragement and Legislative attention which its importance has and now merits. The fund now available for that purpose, will hardly accomplish it. If our bondholders by our conduct are assured of the stability, integrity, and resources of the State, by having their interest regularly paid, they will not only be better prepared, but better disposed, to make up the necessary sum required of them by law, to bring that valuable work into complete connection with the Ohio river at an early day.

3d. There is scarcely any portion of our State that was not then, as now, directly or remotely interested in some line of railroad in process of construction, or in contemplation with a reasonable hope of ultimate completion. These roads are wanting aid, and seek it in many instances away from home. The most certain method of securing this aid, is to establish to the world that the State is not only rich in resources, but equally prompt in payment.

4th. In borrowing the money from our bank, we pay interest to an institution owned almost entirely within the State, and by the State herself, which makes all the profits accruing from the loan.

5th. By paying in money the State avoids the expense of issuing certificates for the unpaid interest as well as the payment of interest upon the certificates so issued, for an indefinite period of time, the expense of which, from a report heretofore made at a previous session of the Legislature, is shown to greatly exceed the interest on the simple loan, to say nothing of the confusion necessarily growing out of the issuing of the certificates (many of which are for ten and twenty dollars) and of the keeping of complex interest accounts.

The interest paid at the Indiana Agency in the City of New York on the 1st of July last, was, as before stated, \$95,300, being two per cent. on \$4,765,000, the debt at that time under the new arrangement.

In January, 1850, we shall probably have to pay \$100,000, as two hundred and thirty bonds coming in from July to January will make up that amount. The State commenced paying interest with July, 1847, and to the present time has paid five semi-annual payments, amounting in the aggregate to nearly half a million of dollars. Meantime the State stock has been steadily and gradually advancing in value, till it now stands at seventy cents on the dollar, (its full value, taking six per cent. interest per annum, as the standard). This fact must be gratifying to the friends of the State, more especially to those who took so deep an interest in the honorable adjustment of the State's indebtedness, as it furnishes unmistakable evidence of an increasing confidence in her resources, as well as a firm reliance upon her integrity.

The large amount of treasury notes (commonly denominated scrip) which has heretofore been paid for taxes, has somewhat embarrassed the State Treasury, consequently we have, at times, been without the means to pay our interest as it becomes due. For the past dividends this deficiency has been supplied by making temporary loans from our banks, (none of which remain unpaid, except the one made to meet the interest due in July last). To avoid this embarrassment upon the Treasury, and to enable the State to make her regular semi-annual payments from the taxes annually paid by her citizens, the Legislature, by a joint-resolution passed at its last session, instructed the State Agent to negotiate an extension of the January payment of interest, until March each year. In June last, the Agent of State prepared and addressed a circular to our bondholders, (a copy of which was also transmitted to the Executive Department,) in which he proposed a postponement of the payment of the January instalment of interest, until the first Monday of the succeeding March; at which time it was further proposed, that the deferred dividend or interest should be paid, with six per cent. interest thereon.

Up to October last he had received answers from two hundred and eight of our bondholders, out of five hundred and forty-nine. A large proportion of those from whom answers have been received, accede to the terms of the circular. Some agree to the terms, upon condition, that all the others will accede; a number yield reluctantly, not wishing to oppose any reasonable request the State may make in relation to this question, and some refuse positively. The remaining three hundred and forty-one have not, as yet, answered the Agent of State. In view of the critical position of the State upon this question, and the great complexity that may be produced in keeping the accounts of the Agency, do not the reasons which have heretofore influenced the proper officers to negotiate temporary loans to meet promptly the payment of interest due the bondholders, operate with the same force now as heretofore? I believe they do; it is, therefore, recommended that provisions be made by law to anticipate this contingency.

In conformity with the provisions of an act, entitled "An act for taking the sense of the qualified voters of the State, on the calling of a convention, to alter, amend, or revise the Constitution of this State," approved January 15, 1849, a poll was opened at the annual election held in August last, at the places of holding elections in the several counties of this State, and from the returns made to the office of Secretary of State, as required by the act referred to, it appears that there were cast at said election, in favor of calling a Convention, 81,500 votes, and against it 57,418 votes. The total vote of the State for Governor is, 147,250; the total vote of the State, 149,774, (in this latter statement the vote of Fayette county for Governor is included, the total vote of that county not having been returned,) showing a majority of 6,612 votes in favor of a call for a convention, over all the votes cast at that election. The duty

of the present General Assembly is plain ; it will become necessary to provide by law for districting the State, with a view to the election of delegates to that convention ; to determine the number of delegates which shall compose that body, and the time of holding the same. It is most respectfully suggested that, in the discharge of this important duty, the members of the General Assembly should divest themselves of all party predilections, and make such an apportionment as will insure to the people of the State, irrespective of parties, a full and fair representation in that body. This being done, a great initiative step is taken, which will tend as much as any other to predispose the people of the State to adopt the new constitution which the convention may present to them for their ratification.

Whilst upon this subject it is proper to say, that it will be necessary to levy an additional tax, to defray the expenses of the Convention—the amount necessary will depend much upon the length of the present session of the General Assembly. In all probability the organic laws of the State will undergo, in the course of the ensuing year, many material alterations, which will at once suggest the propriety of passing but few general laws, inasmuch as they may become inconsistent or inoperative under the new organization of the State government.

Special legislation is a growing evil which has attracted much attention amongst the masses of the people, and to which much well founded opposition exists in the public mind. Indeed, it has for years past engaged full three-fourths of the time of the General Assembly, to the exclusion (from their due consideration) of many other questions of great importance to the people of the State. It has also occasioned a corresponding proportion of the expenses of our legislation. To avoid this evil, I earnestly recommend to you the enactment of such general laws as will confer upon the proper subordinate tribunals of the country, the requisite power to adjust all such questions as are properly and exclusively the subjects of special enactments. If this course is deemed impolitic, I trust that such provision will be made in the contemplated new constitution, as will effectually prevent it.

Believing that the interest and welfare of our country demand greater security to the families of a large and respectable portion of our unfortunate fellow-citizens, who are often over-reached by the superior knowledge and cunning of their fellow men, or become embarrassed in their pecuniary affairs by the vicissitudes of trade, it is respectfully recommended that such a change be made in our execution laws, (to operate prospectively) as will exempt from execution and sale, in favor of any resident defendant and his family, a specific number of acres of land, or a specific amount in value; in all cases to include the homestead, or so much thereof as it will embrace. The details of such a law are left to the better judgment of the General Assembly. Should a law embracing this humane principle not meet with favor at the present session of the General

Assembly, I trust that before the next assembling of the people's representatives, this principle will become a constitutional provision, thereby placing it beyond the power of unfavorable legislative action.

By this provision many an innocent wife and her unoffending children would be provided with a home sufficient, by industry and economy, to afford a comfortable support, thereby escaping a life of wretchedness and want. It may be said by those (if unfortunately there are any,) opposed to this humane principle, that it will encourage fraud and dishonesty—not so, the man who is industrious, but who has also been unfortunate, would feel grateful to the country whose laws have protected him from ruin, he would make much greater exertion to recuperate his broken fortunes, and to extricate himself from his embarrassments. Moreover it would tend as much as any other single measure to check the credit system which has been so often abused, and has brought so much distress upon the country.

Since the adjournment of the last Legislature a vacancy occurred (by the death of Basil Brown, the then incumbent,) in the office of Superintendent of the Northern Division of the Central Canal, including that portion lying between Broad Ripple and the Bluffs of White River. That vacancy was filled by the appointment of Henry Nelson, who held the office but a short time when he tendered his resignation. He was succeeded by the appointment of Robert Greenfield, the present incumbent, who has faithfully discharged the duties of his office. There seems to be some difficulty between the Superintendent and the lessees of water power on the canal. They contend, as he informs me, that the State has forfeited her contract, much to their damage, by failing to furnish the necessary quantity of water power, and he, upon the contrary, contends that the State has performed all that she is bound to do. Without deciding upon the subject matter of controversy, it is confidently believed that the interest of the State requires that the rights of the parties under their several contracts should be definitely settled before the judicial tribunals of the country, and that the State should, if she can by any honorable means, rid herself of the annual expense she incurs in keeping the canal in repair. I therefore recommend the enactment of a law, making it the imperative duty of the Superintendent to institute suit against one or more of the lessees, who may be in arrears for non-payment of water power rents to the State, with a view of testing the contracts heretofore alluded to. It is not right that the citizens of the State, living remote from the canal, and who cannot by any possible means be benefitted thereby, should be compelled to pay taxes annually to keep it in repair.

In conformity with the provisions of a Joint Resolution authorizing the Governor or Agent of State to make sale of all or any real estate owned by the State of Indiana in the State of Georgia, approved January 16, 1849, I sold in February last to Martin R. Green, Esqr., all the interest which the State had, either legally or

equitably, in and to what are commonly denominated the "Georgia lands"—the State simply quits all her claim to them. I conceive the sale an advantageous one to the State, although the price can scarcely be considered nominal, compared with the supposed quantity of lands.

By the provisions of another Joint Resolution passed at the same session entitled, "A Joint Resolution in relation to the contract between the State and her Bond holders," (approved January 16, 1849,) a suit has been instituted in the Montgomery Circuit Court against the Trustees of the Bond holders for an alleged violation of the contract on the part of the said Trustees; the case has not yet been decided. Complaints have been made to the Executive Department of other alleged violations of the contract on the part of the Trustees, accompanied with urgent appeals to the Executive to authorize suits to be instituted. Without pretending to determine the question of alleged violation of the contract, I respectfully suggest as a matter of relief to the Executive, and of justice to the parties, that the Joint Resolution should be so amended as to require the complaining party to file a written specification of the alleged violation of the contract with the Board of Trustees when in session, and upon ^{the} refusal or failure of the Board to take immediate action on the same, that the complaining party may file a certified copy of such written specification, and the proceedings of the Board thereon, with the Executive, whose duty it shall be to cause suit to be instituted immediately, under the provisions of the original Joint Resolution.

It has been represented to me that the accounts subsisting between the State and the General Government in reference to the "Three per cent. Fund," have not been finally and correctly adjusted, and that an account ranging from fifty to one hundred thousand dollars is yet due from the United States to this State. Application was made to me during the present year for authority to examine into the accounts with a view to their final and satisfactory adjustment. That authority was delegated, so far as I possessed the power, and a conditional arrangement entered into, which was to be entirely under the control of a subsequent Legislature, and by which the State incurs no expense or liability, unless a balance is found due to the State and allowed by the proper authority.—This conditional arrangement was made with gentlemen worthy of confidence, and entirely competent to the performance of the task they have assumed. A letter of recent date received by me expresses entire confidence in a favorable result of their investigations.

The report of the Visitor to the State Prison has not yet been received. This delay has been occasioned by the recent death of the gentleman first appointed to perform that duty. I can however state from my own personal knowledge, that general good order is preserved by the present worthy and efficient Warden, and that the convicts are well supplied with suitable food and clothing. Steps

have been taken under the advice of a respectable physician, and upon the recommendation of the officers of the Prison, to improve the means of comfort to the sick, by the creation of a suitable Hospital for their use, and also to preserve the health of those convicts who occupy the proper prison cells, by providing additional means of ventilation.

When the report is received it will doubtless be laid before you, accompanied with such suggestions as its importance may merit.

The reports of the Adjutant and Quarter Master Generals present nothing which seems to require any legislative action. The business in the respective departments has been regularly and promptly attended to during the year.

The public mind seems to be awakened to the necessity of improving the channels of intercommunication in our State, and no public improvement seems to commend itself to the public with more favor than that of plank roads. So far as experience teaches any thing upon this subject, it is in favor of that character of improvements, from the cheapness of construction, and the ability of the agricultural portion of the community to furnish within themselves the means of construction. They are doubtless in a few years to become the channels through which the surplus products of the country will find an outlet to the great thoroughfares of the State, such as railroads, canals, and navigable rivers. The propriety of granting liberal, yet safe charters to companies desiring to construct this character of public improvement is respectfully suggested.

Some of the States of the Union have expressed an opinion favorable to the establishment of an Agricultural Bureau in the "Department of the Interior" at Washington, whose province it shall be to superintend and promote the great interest of agricultural improvement in the nation. If this Department is continued at Washington, would it not be proper for the General Assembly to express an opinion favorable to the creation of this Bureau?

The propriety of furnishing the Washington National Monument Society with a block of Indiana marble to aid in the erection of a monument in that city to the memory of the Father of his Country, is respectfully submitted to the patriotic consideration of the members of the General Assembly.

The Indiana Institution for the Education of the Blind still continues to increase in usefulness, under the superintendence of its present able head, Mr. W. H. Churchman. The number of pupils now in attendance is thirty-eight, showing an increase of ten since last year's report. It is truly gratifying to learn that the excess of the receipts for work performed by the pupils, over the cost of the raw material for the present year is three hundred and fifteen dollars. The present buildings are insufficient to accommodate to advantage the present increased and increasing numbers. I earnestly recommend to your favorable action the suggestions contained in the third annual report of the Trustees of this Institution upon this particular subject.

The Deaf and Dumb Asylum has continued to increase in prosperity and usefulness, and the same retrenchment in current expenditures so favorably noticed in the last executive message of my predecessor has continued. The number of pupils has reached one hundred and twenty-five. The new buildings are so far progressed that the walls are completed, and secured from injury by roofs.

Owing to the careful management of current expenditures it will not be necessary to increase the rate of taxation for this purpose, as it is supposed that the revenue of 1849 and 1850 will be amply sufficient. It will merely be desirable to provide some means by which the Trustees may anticipate a part of the revenue of 1850. After that time it is believed that a material reduction can be made in the assessment. Considering the crowded state of the present inconvenient rented buildings, the amount paid for their use, (which is not less than eleven hundred dollars per annum,) and the fact that the labor of the pupils can now be rendered but slightly profitable, there can be no doubt of the propriety of providing for the completion of the new Asylum during the approaching season.

Under the superintendence of R. J. Patterson, M. D., an able and experienced physician, a portion of the Indiana Hospital for the Insane, was opened for the reception of patients in December last. Since that period, more than one hundred patients have been admitted to its wards and enjoyed the blessings of sanitary treatment.

By the careful and skillful treatment adopted in this Institution, twenty of this unfortunate class of our race have already been restored to health, and have gone forth to again fill stations of usefulness in society. Among the inmates of this Institution, are to be found citizens from the various classes in society, afflicted with a disease the severest to which the human family is subject, and which seems to be no respecter of persons. That portion of the Hospital buildings now completed, is crowded with inmates, and many are still seeking admittance, but are for the present denied a place for the want of room.

Doubtless it was the intention of the last General Assembly, to provide ample means for the completion of the Hospital buildings during the present year. A bill for that purpose was reported, which passed without objection, (as is believed,) through both branches of the Legislature, but, by accident, was lost or mislaid, and consequently did not become a law.

By reason of the failure of realizing the benefit of this bill, the work has been mostly suspended, and only such additional apartments completed as were absolutely demanded for the relief of some of the most pressing applicants for admission.

It is very desirable that early provisions be made for the speedy completion of the Hospital buildings entire. It is believed that no State in the Union has done as much in so short a period of time, to ameliorate the condition of her own unfortunate fellow-citizens, as the State of Indiana; nor has the same success attended the Be-

nevolent Institutions of any other, that has blessed those of our own State. The promptitude and cheerfulness with which the people have responded to the calls of their representatives, for the means necessary to support these public Institutions, will redound, in all coming time, to their honor and prosperity.

A proposition to found an Asylum for the poor and destitute orphans of the State, is respectfully yet earnestly recommended to your favorable consideration. No enterprise can reflect more credit and glory upon the people and their representatives, than that which tends to the elevation of the poor and destitute orphan—nothing has so great a tendency to attach the poor man to his country and her glorious institutions, as a knowledge that his rights are protected whilst he is living, and that his destitute children will be cared for when he is dead. Certainly no true christian or philanthropist can or will be found in opposition to such a measure.

The subject of education is one at all times of paramount importance, and should engage the most vigilant attention of our legislators. I cannot close this communication without leaving my humble testimony in its favor.

Accurate information has been received from the principal Universities and Colleges of the State, from which I am enabled to inform you, that at no former period have they enjoyed so great a degree of prosperity as at the present time. Indiana Asbury University presents a catalogue of two hundred and ninety-five students; Indiana University numbers one hundred and ninety-seven; Hanover College, one hundred and eighty-three; Wabash College, one hundred and forty-eight, with a library of six thousand volumes, and a rich Geological Cabinet; Franklin College numbers one hundred and forty-five, making an aggregate of nine hundred and sixty-eight, of the youth of our country who have been receiving collegiate instruction within the past year. Indiana Asbury University has organized a Medical Department at this city, (Indianapolis,) with an able faculty. The first session of this Department commenced in November last, with a fair prospect of success. There is a Law Department attached to the State University at Bloomington, under the charge of two able Professors, (Judges McDonnald and Otto,) which promises great usefulness to those who desire instruction in that learned profession. Franklin College has succeeded in extinguishing a heavy debt which has hitherto crippled her energies and impaired her usefulness—it is now supposed that she will realize the brightest hopes of her friends.

It is believed that this unparalleled prosperity is doubtless attributable in a very great degree, to two prominent causes: the ability of our Presidents and Professors to impart a thorough and profound course of collegiate instruction to the students, and to the healthfulness of the locations, the economy of living, and the moral associations.

It is a source of unmingled pleasure to be enabled to state that the important subject of female education is rapidly gaining a

strong hold upon the feelings of our people. There are already many flourishing female institutions in our State, such as the Green-castle Female Seminary, under the charge of Mrs. Larrabee and other accomplished assistants, numbering for the past year, one hundred and fifty students, of which number, about ninety were in constant attendance. The Bloomington Female Institution, under the superintendence of Mrs. McPherson, assisted by competent and accomplished young ladies, which also presents a catalogue of eighty or ninety in regular attendance. The Fort Wayne Female College, the Centreville Female Seminary, the St. Mary's Seminary, Indianapolis, and St. Mary of the Woods, Vigo County, all of which are in successful operation, besides the Princeton and New Albany Female Seminaries, with others that are in process of organization. The time will soon arrive when the fair daughters of Indiana will be enabled to acquire, within the borders of their own native State, an education which will place them in favorable comparison with those of the most highly favored portions of our country. However gratifying it may be to witness the rapid advancement of a portion of our population in the higher branches of the Arts and Sciences, there is yet another subject which attracts our attention by its greater importance. I allude to the subject of *Free Common Schools*, in which the masses of the people are more immediately and vitally interested; it is upon them that our country mainly relies for her permanent peace and prosperity, and it is to their advancement and improvement in knowledge that our legislative action should be mainly directed.

It is a favorite axiom of our republican creed, that all our citizens are politically equal. To enable the citizen to enjoy the rights and privileges granted to him by our constitution, it is necessary that he should receive at least a good elementary English education; if he has this, he is capable of understanding the tendency and bearing of all political questions which are brought forward for public discussion—he is capable of appreciating his rights and maintaining them—he can analyze public measures, examine into the conduct of public men, and hold them to strict accountability.

An act was passed at the last General Assembly, the object of which was to increase and extend the benefits of *Free Common Schools* to the children of the State. Many of the counties, by a vote of the people, adopted this law, and it is to be hoped that in a very short time, there will not be a county in the State, whose citizens will refuse to avail themselves of the benefits of this measure. Doubtless there are many imperfections in the law which will have to be remedied by time and experience, yet it answers as a basis upon which to rear a noble superstructure which will shed its benign influences over all the children of this great and growing young State. When we contemplate the magnitude of this subject in all its varied bearings upon the welfare of the rising generation and upon the perpetuity of that republican form of government, which cost the richest and best blood of the conscript fathers of the

revolution, it seems to me that no representative of the people in this enlightened age will assume upon himself the solemn and fearful responsibility of refusing the means of support to a well digested system of *Free Common Schools*, thereby closing the door to the diffusion of light and knowledge.

The Temperance cause is one which is deeply agitating the public mind. Whilst I cannot subscribe to all the ultra views advanced by some of the advocates of this great and glorious cause—a cause which ultimately every good man in the community is bound to sustain—yet I earnestly invite your attention to the subject and recommend that you enact such stringent laws, for the prevention of the sale of ardent spirits, as will arrest the vice of drunkenness, which stalks over the fairest portion of our country with a worse than pestilential march.

In conclusion, Gentlemen, permit me to recommend a cordial co-operation between my worthy successor and the legislative department of the government, in the enactment of such laws as are best calculated to promote the public welfare and especially the great and important measures of temperance, morality, and education.

Trusting that your deliberations will be characterized by moderation and wisdom, I commend you to the guidance of an all wise Providence, with my fervent wishes for the success of the great and vitally important measures, upon which you are called to deliberate.

PARIS C. DUNNING.

DECEMBER 4, 1849.

The Senate then retired to their chamber.

Mr. Cravens, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred the evidence transmitted to this House by the Secretary of State in relation to the election of Representative from the county of Spencer, have had the same under consideration, and report that from an examination of said evidence, they find the following facts to exist: At the last general election, held in Spencer county, John W. Graham and William B. Richardson were candidates for Representative; that the board of canvassers of said county did on the day prescribed by law declare John W. Graham duly elected Representative of the county of Spencer. It further appears that the returns, as received by the canvassers, shows that John W. Graham received five hundred and fifty-three votes, and that William B. Richardson received five hundred and thirty votes, leaving a majority to said Graham of twenty-three votes. This result was produced by the rejection of the vote of Jackson Township, in which Graham received forty-two votes, and William B. Richardson received sixty-eight votes. It appears that the reason alleged by the board of canvassers for the

rejection of the returns of said Township, was the neglect of the Judges affixing their signatures to said return, being signed, however, by the clerks; had the returns of Jackson Township been computed, the result would have given William B. Richardson a majority of three votes, thereby duly electing him Representative.

It is very properly provided in the Statute regulating general elections that no vote shall be rejected for want of form, and the same principle carried out by warrantable inference, would secure from improper motives or negligence the fairly expressed will of the people—in view of these facts, the committee therefore recommend the adoption of the following resolution:

Resolved, That William B. Richardson be admitted to a seat in this House as Representative from the county of Spencer.

Which was concurred in.

Mr. William B. Richardson, of the county of Spencer, appeared was duly qualified, and took his seat.

Mr. Isaac W. Hunter, Representative elect from the county of Marion, appeared, was duly qualified, and took his seat.

Mr. Mickle introduced,

No. 1. A bill to provide for holding a Convention of the people to revise and amend the Constitution of this State.

Which was read a first time, and ordered to a second reading.

Mr. Wilson moved to suspend the rules and read the bill a second time.

The ayes and noes being demanded by Messrs. Edwards and Lane,

Those who voted in the affirmative are,

Messrs. Barker, Bird, Bowen, Brown of R., Carnahan of Fountain, Conner, Cotton, Harney, Hillis, Holcomb, Landis, Leviston, Menaugh, Murray, Prather, Shelby, Thom, Wells, Wilson, and Withers—20.

Those who voted in the negative are,

Messrs. Allen, Alley, Athon, Beard, Brown of S., Burnet, Butler, Byers, Caldwell, Campbell, Carnahan of Posey, Cleaver, Cole, Conaway, Cravens, Defrees, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Graves, Greathouse, Hart, Harvey, Hicks, Hill, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Lane, Lank, May, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikan, Morrison, Niblack, O'Haver, O'Neal, Orr, Patterson, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Robson, Ross, Rush, Russell, Salter, Shepard, Sherrod, Spencer, Summers, Stewart, Stone, Stoops, Thomas, Tinbrook, Warriner, Watkins, Weaver, Weir, Whinery, Wright, Yocum, and Mr. Speaker—76.

So the rules were not suspended.

On motion by Mr. Reed,

Resolved, That the Senate be invited to attend in the Hall of the House, instantler, to continue the count of the votes for Governor and Lieutenant-Governor.

Mr. Prather offered the following resolution :

Resolved, That the Governor's Message be laid on the table and 500 copies be printed for the use of this House.

Mr. Mickle moved to strike out 500 and insert 1,000.

Mr. Allen moved to amend the amendment by striking out 500 and inserting 500 in the German language and 1,000 in the English language.

Mr. Mickle moved to lay the resolution and pending amendments on the table.

Which motion prevailed.

The Senate then came into the Hall of the House of Representatives and took their seats on the right of the Speaker's Chair, when the Speaker of the House of Representatives, in the presence of both bodies of the General Assembly, continued to open and publish the remaining votes of the counties which were not published at ten o'clock this morning for Governor and Lieutenant-Governor of the State of Indiana, and on counting all the votes returned, it appeared therefrom that—

Joseph A. Wright had received	-	-	-	76,996 votes.
John A. Matson had received	-	-	-	67,228 votes.
James H. Cravens had received	-	-	-	3,018 votes.
John Wright had received	-	-	-	1 vote.
Ephraim Traber had received	-	-	-	3 votes.
James A. Matson had received	-	-	-	2 votes.
Scattering,	-	-	-	2 votes.

Joseph A Wright having received a plurality of the votes given, was, by the President of the Senate, in the presence of both Houses of the General Assembly of the State of Indiana, declared duly elected Governor of the State of Indiana, to serve as such for the term of three years from and after the third day of the present session of the General Assembly.

For the office of Lieutenant-Governor, it appeared from the returns aforesaid that—

James H. Lane had received	-	-	-	77,002 votes.
Thomas S. Stanfield had received	-	-	-	66,385 votes.
John W. Wright had received	-	-	-	2,795 votes.
James Wright had received	-	-	-	1 vote.
Jesse Thatcher had received	-	-	-	3 votes.
Thomas Stanfield had received	-	-	-	1 vote.

Joseph A. Wright had received	-	-	-	13 votes.
Joseph W. Wright had received	-	-	-	6 votes.
William Feezlee had received	-	-	-	1 vote.
H. S. Lane had received	-	-	-	1 vote.
John H. Lane had received	-	-	-	117 votes.

James H. Lane having received a plurality of the votes given, was, by the President of the Senate, in the presence of both Houses of the General Assembly, declared duly elected Lieutenant-Governor of the State of Indiana for the term of three years from and after the third day of the present session of the General Assembly.

The Senate then retired to their Chamber.

Mr. Allen offered the following resolution :

Resolved, That four thousand copies of the Governor's Message be printed in English; and two thousand in the German language, for the use of the House.

Mr. Prather moved to lay the resolution on the table.

Which motion prevailed.

On motion by Mr. Delavan,

The House adjourned to meet on to-morrow at 9 o'clock, A. M.

WEDNESDAY MORNING, DECEMBER 5, 9 o'clock.

The House met pursuant to adjournment.

The Journal of the preceding day being read—

Mr. Athon moved to amend by striking out the word "plurality," and inserting "majority" where the same occurs in the announcement of the election of Governor and Lieutenant-Governor.

Which motion did not prevail.

On motion by Mr. Dodd,

Resolved, That a committee of two be appointed on the part of the House, to act with a similar committee on the part of the Senate, to wait on His Excellency Joseph A. Wright and the Hon. James H. Lane and inform them of their election—the first to the office of Governor, and the second to the office of Lieutenant-Governor of the State of Indiana, and to ascertain from them what time it will suit their convenience to take the oath of office.

Messrs Dodd and Butler were appointed said committee.

Mr. Edwards introduced,

No. 2. A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations ;

Which was read a first time, and ordered to a second reading.

Mr. Cravens, from a select committee, made the following report :

MR. SPEAKER :

The committee appointed on yesterday to request the Rev. Mr. Bayless to attend in the Hall of the House this morning, at 10 o'clock, for the purpose of opening the present General Assembly with solemn prayer, report that they have performed that duty, and that the Rev. Mr. Bayless is now in attendance for such purpose.

On motion by Mr. Cravens,

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives, at 10 o'clock, A. M., to participate in the services contemplated by the foregoing resolution, and that the Senate be informed of the adoption of this resolution.

Mr. Dougherty of Elkhart introduced,

No. 3. A bill to compel non-resident land owners to pay a road tax equal to that paid by resident land proprietors ;

Which was read a first time, and ordered to a second reading.

Mr. Murray introduced,

No. 4. A bill to authorize the Board of Commissioners of Howard county to borrow money ;

Which was read a first time, and ordered to a second reading.

Mr. Athon introduced.

No. 5. A bill to authorize the county commissioners of Clark county to establish an additional place of holding elections in Wood township, of said county ;

Which was read a first time, and passed to a second reading.

Mr. Graves introduced,

No. 6. A bill relating to appeals and writs of error from probate courts ;

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Brown of Randolph introduced,

No. 7. A bill exempting homesteads from execution ;

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Chandler introduced,

No. 8. A joint resolution on the subject of the reduction of postage ;

Which was read a first time, and passed to a second reading.

Mr. Patterson introduced,

No. 9. A joint resolution relative to the extension of slavery ;

Which was read a first time, and passed to a second reading.

Mr. Elder introduced,

No. 10. A bill to repeal the law rendering negroes and mulattoes incompetent to testify in courts of justice, when the State or white persons may be parties ;

Which was read a first time, and ordered to a second reading on to-morrow.

Mr. Spencer introduced,

No. 11. A bill to provide for the calling of a Convention to revise, amend, or change the Constitution of the State of Indiana ;

Which was read a first time, and ordered to a second reading on to-morrow.

On motion by Mr. Dougherty of Boone,

Resolved, That the select committee to whom was referred the subject of abolishing the State Agency, are hereby instructed to report on Friday next, or at an earlier day, if convenient.

Mr. Brown of Randolph introduced,

No. 12. A bill to repeal certain acts relative to negroes and mulattoes ;

Which was read a first time, and passed to a second reading.

Mr. Orr introduced,

No. 13. A bill in relation to witnesses fees ;

Which was read a first time, and passed to a second reading.

The Speaker laid before the House the following communication from the Secretary of State :

OFFICE OF SECRETARY OF STATE, }
Indianapolis, Dec. 5, 1849. }

HON. GEORGE W. CARR,

Speaker of the House of Representatives :

SIR :—You will please lay this, my Annual Report, before the honorable body over which you preside.

Respectfully,

Yours, &c.,

CHARLES H. TEST,

Secretary of State.

Mr. Cravens moved to print 300 copies.

Mr. Niblack moved to amend the motion by striking out "300" and inserting "500."

Which motion did not prevail.

The question being on the motion of Mr. Cravens,

Was decided in the affirmative.

Mr. Dodd moved to add four members to the committee appointed under the resolution of Mr. Butler relative to the expediency of abolishing the office of Agent of State.

Which motion prevailed.

The Speaker added Messrs. Dodd, Murray, Brown of Shelby, and Defrees to said committee.

The Senate then came into the Hall of the House and took their seats on the right of the Speaker's Chair, when the Rev. John S. Bayless, attended by the joint committee appointed for that purpose, appeared and addressed the Throne of Grace in pursuance of a resolution of the House.

A message from the Senate, by Mr. Emmerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the resolution of the House of Representatives appointing a committee of two, to act with a similar committee on the part of the Senate, to wait on His Excellency Joseph A. Wright and Hon. James H. Lane and inform them of their election, the first to the office of Governor, and the latter to the office of Lieutenant Governor of the State of Indiana, and to ascertain from them at what time it will suit their convenience to take the oath of office, and that Messrs. Miller and Walpole have been appointed said committee on the part of the Senate.

The Speaker laid before the House the following communication :

EXECUTIVE DEPARTMENT, }
December 5, 1849. }

HON. GEORGE W. CARR,
Speaker of the House of Representatives :

Please lay before the House of Representatives, over which you have the honor to preside, the Annual Report of the Board of Trustees of Indiana University. If this report is ordered to be printed the Trustees desire 500 copies for their use.

Very respectfully,

PARIS C. DUNNING.

Mr. Brown of Shelby moved to lay the report on the table and order the printing of 300 copies.

Mr. Mickle moved to strike out "300," and insert "500."

Which motion prevailed.

The question then being on the motion of Mr. Brown of Shelby, as amended,

Was decided in the affirmative.

On motion by Mr. Chandler,

The vote was reconsidered.

Mr. Chandler moved to strike out "500," and insert "1,000."

Which motion prevailed.

The question then being on the original motion, as amended,

Was decided in the affirmative.

The Speaker laid before the House the following communication from His Excellency, the Governor :

EXECUTIVE DEPARTMENT, }
December 5, 1849. }

HON. GEORGE W. CARR,
Speaker of the House of Representatives :

Please lay before the body over which you have the honor to preside the enclosed communication from the committee of the " American Association for the advancement of Science."

Respectfully,
PARIS C. DUNNING.

Mr. Robson offered the following resolution :

Resolved, That the use of this Hall be tendered to the " Higgins Family," (who are now on a visit to this city,) to-morrow evening for the purpose of holding a Concert.

Mr. Withers moved to lay the resolution on the table.

Which motion did not prevail.

The resolution was then adopted.

Mr. Spencer offered the following resolution :

Resolved, That the Auditor of State be directed to furnish this House forthwith with the different items making up the sum of \$11,602 67, charged in his report as expenditures on account of incidental expenses of State Agent, including interest on Bank Loan and Exchange.

Which resolution was adopted.

Mr. Weir introduced,

No. 14. A bill to incorporate the Terre Haute and Evansville Rail Road Company ;

Which was read a first time, and passed to a second reading.

Mr. Brown of Randolph introduced,

No. 15. A bill to provide for the distribution of the General Laws of 1848-9 to the county of Randolph ;

Which was read a first time, and ordered to a second reading.

Mr. Gessie introduced,

No. 16. A bill to define the jurisdiction of justices of the peace in the county of Vermillion ;

Which was read a first time, and passed to a second reading.

Mr. Shelby moved to take up the message from the Senate.

Which motion prevailed.

Message from the Senate, by Mr. Emmerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 1. An act for the relief of Christopher Miller, of the county of Tippecanoe ;

No. 6. An act for the relief of Charles Warner.

In which the concurrence of the House of Representatives is respectfully requested.

No. 1. Bill contained in the foregoing message,
Was read a first time, when,

On motion by Mr. Chandler,

The rule was suspended, and the bill read a second time, when,

On motion by Mr. Chandler,

The rule was suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 6. Bill contained in the foregoing message,
Was read a first time, when,

On motion by Mr. Robson,

The rule was suspended, and the bill read a second time, when,

On motion by Mr. Brown of Shelby,

The rule was suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Millikin offered the following resolution :

Resolved, That the Doorkeeper be instructed to furnish each member of this House with one copy of the Rules and Joint Rules of this House at the last session, instant.

Mr. Mickle moved to lay the said resolution on the table.

Which motion prevailed.

Mr. Chandler moved to print 400 copies of the Rules of the House in addition to the number heretofore ordered.

Which motion did not prevail.

On motion by Mr. Allen,

The House took from the table the resolution relative to printing the Governor's Message.

Mr. Wilson moved to print 2,000 copies of the Message in the French language.

Mr. Lane moved to amend the resolution by striking out 1,000 in the German language.

Which motion did not prevail.

On motion by Mr. Carnahan of Posey,

The resolution was laid on the table.

Mr. Gentry introduced,

No. 17. A bill to repeal an act therein named ;

Which was read a first time, and passed to a second reading.

Mr. Robson introduced,

No. 18. A bill to extend the term of the circuit court of Marion county, authorized to be began and held on the last Monday in October, in the year 1849 ;

Which was read a first time, and passed to a second reading.

Mr. Menaugh introduced,

No. 19. A bill fixing the time of holding circuit courts in the second judicial circuit ;

Which was read a first time, and passed to a second reading.

On motion by Mr. Cravens,

The rules were suspended, and the bill read a second time.

On motion by Mr. Menaugh,

The bill was referred to a select committee of seven.

The Speaker appointed Messrs. Menaugh, Wilson, Athon, Morrison, Wells, Farnesly, and Sherrod said committee.

Mr. Menaugh presented a petition of members of the bar of the second judicial circuit, on the subject of the foregoing bill.

Mr. Wilson presented a petition of citizens of Harrison county on the same subject.

Mr. Morrison presented a petition of citizens of Scott county on the same subject.

Mr. Athon presented a petition of citizens of Clark county on the same subject.

All of which petitions were referred to the same committee to which was referred the foregoing bill.

Mr. Dougherty of Boone introduced,

No. 20. A bill for the better improvement of highways in Boone county ;

Which was read a first time, and passed to a second reading.

Mr. Morrison offered the following resolution :

Resolved, That three thousand copies of the Governor's Message be published in English.

On motion by Mr. Chandler,

The resolution was laid on the table.

Mr. Dodd, from a select committee, made the following report :

MR. SPEAKER :

The committee appointed on the part of the House to act with a similar committee on the part of the Senate, to wait upon His Excellency, Joseph A. Wright, Governor elect, and the Hon. James H. Lane, Lieutenant-Governor elect, and to know of them at what time it would suit their convenience to take the oath of office, have performed that duty, and report that they have received for answer from those gentlemen, that they will attend in the Hall of the House of Representatives at half past two o'clock this day.

Mr. Dougherty of Boone moved that the House adjourn.

Which motion did not prevail.

The Speaker laid before the House the following communication from His Excellency, the Governor :

EXECUTIVE DEPARTMENT, {
Dec. 5, 1849. }

HON. GEORGE W. CARR,
Speaker of the House of Representatives :

Please lay before the body over which you have the honor to preside the accompanying memorial of certain bondholders of the State of Indiana.

Respectfully,
PARIS C. DUNNING.

The Clerk proceeded to read the memorial alluded to in the above communication, when

Mr. Carnahan of Posey moved to suspend the further reading.

Which motion did not prevail.

On motion by Mr. Lane,

The memorial was laid on the table.

The Speaker laid before the House the following communication from His Excellency, the Governor :

EXECUTIVE DEPARTMENT, {
December 5, 1849. }

HON. GEORGE W. CARR,
Speaker of the House of Representatives :

Please lay before the House over which you have the honor to preside the accompanying Resolutions of the States of Missouri and South Carolina upon the subject of slavery ; and also the Resolutions of the State of Virginia upon the legislation of Congress upon the subject of " fugitive slaves."

Respectfully,
PARIS C. DUNNING.

On motion by Mr. Lane,

The joint resolutions of the States referred to, were laid on the table until the 4th of June, 1850.

Mr. Greathouse introduced,

No. 21. A bill to amend the road law passed at the last session of the Legislature ;

Which was read a first time, and passed to a second reading.

Mr. Bird introduced,

No. 22. A bill for the preservation of the Northport feeder dam ;

Which was read a first time, and passed to a second reading.

On motion by Mr. Mickle,

Resolved, That a committee of two be appointed on the part of the House of Representatives, to act with a similar committee on the part of the Senate, (should one be appointed) to invite the Judges of the Supreme Court to attend this day, at half past two o'clock, to be present at the Inauguration of the Governor and Lieutenant-Governor, and that seats be provided for them on the right of the Speaker's Chair, and that the Senate be informed of the passage of this resolution.

The Speaker appointed Messrs. Mickle and Edwards said committee.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Menaugh,

The House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

Mr. Goodman presented a petition of citizens of Daviess county, relative to one Joseph Dougherty, deceased, a borrower of the Surplus Revenue Fund; which,

On motion,

Was referred to a select committee, consisting of Messrs. Goodwin, Niblack, and Humphreys.

On motion by Mr. Chandler,

The vote on the adoption of the following resolution, offered on yesterday, was reconsidered :

Resolved, That the Door Keeper is hereby instructed to subscribe for such papers only, on the part of this House, as reports the proceedings of this General Assembly.

Mr. Chandler moved to strike out the resolution from the resolving clause, and insert the following :

"That the Door Keeper be instructed to contract for three copies of the Daily Indiana Journal, three copies of the Tri-Weekly State Sentinel, one copy of the German paper, and one copy of the Locomotive paper for each member of this House, which are to be folded and sent as each member may direct."

Mr. Robson moved to amend by striking out "one copy of the German paper," and inserting "two copies of the German paper."

Which motion did not prevail.

The question then recurring on the amendment of Mr. Chandler, It was decided in the affirmative.

Mr. Mickle moved to reconsider the vote on the resolution tendering the use of the Hall to the Higgins Family ;

Which motion prevailed.

Mr. Withers moved to lay the resolution on the table ;

Which motion did not prevail.

The question then recurring on the adoption of the resolution—

The ayes and noes being demanded by Messrs. Mickle and Lane,

Those who voted in the affirmative are,

Messrs. Burnet, Carnahan of Fountain, Chandler, Cravens, Edwards, Gessie, Graves, Hillis, Humphreys, Murray, Prather, Robinson of Decatur, Robson, Ross, Thom, Tinbrook, Wells, Weir, Whinery, and Mr. Speaker—21.

Those who voted in the negative are,

Messrs. Allen, Alley, Athon, Barker, Bird, Bowen, Brown of Randolph, Brown of Shelby, Butler, Byers, Caldwell, Campbell, Carnahan of Posey, Cleaver, Cole, Conner, Cotton, Delavan, Dougherty of Boone, Dougherty of Elkhart, Elder, Ellis, Essex, Farnesly, Gentry, Goodwin, Greathouse, Harney, Hart, Harvey, Hicks, Hill, Holcomb, Huey, Hunter, Johnson, Keeney, Knowlton, Landis, Lane, Lank, Leviston, May, Menaugh, Mickle, Miller of Marshal and Fulton, Miller of Owen, Millikin, Morrison, Niblack, O'Neal, Orr, Patterson, Reed, Richardson, Robinson of Laporte, Rush Shelby, Stewart, Stone, Thomas, Warriner, Weaver, Wilson, Withers, Wright, and Yocum—67.

So the resolution was not adopted.

Mr. Wilson moved to reconsider the vote on said resolution ;

Which motion did not prevail.

Mr. Niblack offered the following resolution :

Resolved, That the House will, the Senate concurring therein, proceed to the election of an Agent of the New Albany and Vincennes Turnpike Road on Saturday next, at 2 o'clock, P. M.

Mr. Chandler moved to lay the resolution on the table ;

Which motion prevailed.

Mr. Keeney presented the petitions of the citizens of the county of Noble, on the subject of opening and keeping in repair the roads in said county.

On motion,

Said petitions were referred to a select committee, consisting of Messrs. Keeney, Graves, and May.

On motion by Mr. Weir,

Resolved, That the Senate be invited to attend, instantler, in the Hall of the House, for the purpose of being present when the Governor and Lieutenant-Governor elect take their oath of office.

Mr. Humphreys introduced,

No. 23. A bill to provide for the election of township assessors in the county of Green;

Which was read a first time, and ordered to a second reading.

Mr. Shepard introduced,

No. 24. A bill to incorporate the American Live Stock Insurance Company;

Which was read a first time, and ordered to a second reading.

The Senate then came in and took their seats on the right of the Speaker's Chair, when the oath of office was administered to the Governor and Lieutenant-Governor by the Hon. Isaac Blackford, one of the Judges of the Supreme Court, in the presence of both Houses of the General Assembly: Whereupon, His Excellency, the Governor, delivered the following

ADDRESS:

Senators, Representatives, and Fellow-Citizens:

Having taken the oath of office prescribed by the Constitution, suffer me to return to you, and through you to our fellow-citizens generally, my grateful acknowledgments for the confidence they have generously bestowed upon me. While I do this, I desire in this public manner to asseverate that my time and ability shall be employed in endeavoring to promote the happiness of all. Custom sanctions and enjoins that I shall briefly declare to you the views which are entertained by me, upon some of the topics which engage the attention of the people at the present period.

It is gratifying that our State during the past year, by a decisive vote, has shown a desire to favor the constitutional reforms of the age. Thirty-three years have passed away since our fathers framed for us our present excellent constitution. Under this constitution we have lived in the enjoyment of civil and religious liberty. Our prosperity has been great—our growth rapid—and the march of improvement onward. Time has not only proved the correctness of the republican principles contained in the constitution, but it has had a tendency to show that they may be much further extended and more generally applied. The elective principle was highly valued by our fathers, and, it may be justly said, they were far in advance of our sister States of that day; but a still further advance is practicable. In order to more effectually guard against improper appointments to office, and against such as may be made with selfish motives, without reference to the welfare of the public in general, or the will of the people, the elective power may be safely substituted for the appointing power.

Another subject of primary importance is that of Common Schools. Men of intelligence can best and most safely exercise the sovereign prerogative of the elective franchise; and to secure general intelligence among men, they must begin to learn while they are children. It seems to me therefore that we should concentrate every legitimate effort to accomplish this end, bestowing all the means at our command to the promotion of this common good in the most expansive form,—that we should first endeavor to extend common schools to every neighborhood, so far as may be done without the infliction of burdensome taxes upon the people, while we leave the County Seminaries and the higher institutions of learning to individual or associated enterprise, by which it is believed they will be best sustained. Other measures will doubtless receive the consideration of the convention, among which might be named the necessary checks upon improvident legislation—suitable restraints against special or partial legislation; and a positive requirement that the titles of all bills shall fully describe the subject matter of the same—biennial sessions of the legislature—the homestead exemption—a prohibition against the borrowing of money for any purpose, beyond a given sum, unless authorized by a direct vote of the people.

We are now in the prosecution of a new system of internal improvements much preferable to the past, because it is founded upon individual capital and enterprise, and will consequently be conducted with economy and prudence. It is to be feared, however, that there is too great a disposition to carry on works of this character by the subscriptions of cities and counties. The appropriation of their revenues to such purposes, is foreign to the primary objects for which municipal corporations are organized, for which the power of taxation is granted to them; and besides may lead not only to individual but local embarrassments and difficulties similar to those in which in State became involved a few years since.

That policy is of doubtful expediency which demands the aid of the State Treasury for the revenue of cities and counties in its prosecution. It will be found that by leaving the enterprise and capital of our people free to seek investment, aided by a liberal legislation in the grants of charters, we shall be able to commence and finish those public works that will repay the capital invested, and will, in their prosecution be characterized with economy, and in due time greatly increase the resources of the State.

The legislature will, no doubt, thus aid the companies, which now are, or may hereafter be engaged in the prosecution of such works, exhibiting alike the enterprise and energy of our people, while it will be also careful to impose all needful checks and restrictions.

Intimately connected with the prosecution of these works is the faithfully keeping, on our part, inviolate, past contracts and engagements with our creditors. It will require the utmost economy and prudence to preserve the credit and contracts of the State unimpaired.

I take this occasion, in the commencement of my duties, to express to you this day, and through you to our fellow-citizens, the assurance, that no effort of mine shall be spared to keep fair the credit of the State, and faithfully to keep all our past contracts.

We should now, mutually covenant and agree with each other, as the representatives of our people, that we will maintain at any and every sacrifice, the credit of Indiana upon our past engagements; and that we will not hereafter pledge *her* faith for another dollar of public money. It is not only our duty to take this position and keep it firmly, but to go one step further. By increased property subject to taxation, as well as new objects of revenue, to be reached by judicious enactments, we may, so soon as the small amount of 6 per cent. treasury notes now outstanding is provided for, command means to create a Sinking Fund whereby the extinguishment of our State debt may be immediately thereafter commenced. And as it must require much deliberation, and perhaps the labor of more than one session, to perfect such a system, it might be well that its consideration be speedily entered upon.— With prudence and economy in our expenditures, and a proper application of what has been saved from the wreck of the past, with the increasing objects of taxation, our State can, under such a system, commence the extinguishment of a portion of our public liabilities, and thereby soon lessen the burthens of taxation for that object, and open the way for a more enlarged system of free schools and other enterprises, that will demand the resources of our growing State. And we may be fully assured that our common constituents look with intense anxiety to the commencement of such a system, as will ultimately consummate the extinguishment of our State debt.

Within the last few years, several bills have received the sanction of the Legislature, referring claims against the State to commissioners, or other specially constituted tribunals, for adjustment or adjudication. I think the policy of such references very questionable, especially when accompanied by preambles or recitations, assuming as established, matters which should be left to be proved by evidence, thus forestalling the action of the tribunal proposedly established to investigate the merits of the case, and depriving the State of her legal defence. Ordinarily, the Legislature with its appropriate committees, possessing the power to send for persons and papers, can sufficiently investigate all claims presented by citizens against the State. If such claims are just, they should be paid, and it is much better to appropriate money directly from the Treasury for that purpose, than in this indirect mode, to cripple the Treasury by subjecting it to demands uncertain in amount, and frequently unjust in their character.

It would be much better to remove at once the privilege of the State, and allow all persons to bring suit against her in the courts, as in other cases, than thus to open the door to only a privileged few, who may by management and influence succeed in procuring a reference by this species of special legislation.

The practical effect of the reference of these supposed claims against the State, is to send them to some tribunal, not to ascertain the rights of the parties in the controversy, but usually to determine how much the State is able to bear. It would be much better for the State that the representatives should directly vote the money out of the treasury, as past experience indicates that the State has greatly suffered, when the Legislature has been persuaded to create special tribunals to settle rejected claims.

The success attending our benevolent institutions is a subject that we should be proud of; and it is your duty to sustain them by liberal appropriations. No part of the burdens upon our people are paid with more cheerfulness than those laid for sustaining the benevolent institutions of the State. While this is your duty, it is alike indispensable that suitable checks should be provided for all expenditures of money for this or any other purpose authorized by law.

While principles of economy in all public expenditures should never be lost sight of, it is equally important that we should be careful to guard ourselves against extremes. It is just and right that all the officers in the employ of the people should receive an adequate compensation for their services—such compensation as will enlist the capable and trust-worthy.

The most wholesome laws may fail to meet the object for which they were passed, in consequence of their improper administration or incorrect interpretation. It is the part of sound policy in the administration of our laws to employ integrity and talent. We should make the compensation of those who administer justice and execute trusts sufficient, at least, for their support. Entertaining these views, it would meet my hearty approval to see the salaries of our public officers so regulated as not to confer wealth on the one hand, or poverty on the other.

A thorough geological examination of our State is alike demanded by the interest of Agriculture, Manufactures, and Commerce. We learn from the hurried and incomplete reconnoissance made by Dr. David Dale Owen, many years since, that we are rich in mineral as well as agricultural resources; that about seven thousand square miles of the great Illinois coal fields are embraced within the limits of Indiana. It is to be regretted that he was not permitted to complete his survey, which promised such rich results. That we have coal, iron, and other minerals in abundance is already known, for we have enterprizes in different quarters of the State laying hold of these elements of power and wealth. A full and practical report from an able and scientific source would disclose fully our vast agricultural and manufacturing resources; and would doubtless facilitate the companies of the State, in procuring aid to carry on the works they are so energetically pressing forward. I cannot forbear to say that it would gratify me to see this subject attracting your early and favorable attention.

There is no subject of more general complaint than the delay at-

tending the settlements of estates in our Probate Courts; and the expense connected therewith. It is most respectfully suggested that no change which can be adopted, will bring about the reform so much required, so well as one which would make the pay of the officer administering the law, dependent somewhat on the settlement of estates; and which should operate as a mutual check upon the representative of the decedent and the court.

It is a source of complaint on the part of our fellow-citizens, that too frequently time is spent in our State legislature in the discussion of questions of a national character, that more appropriately belong to another tribunal. That these questions bring with them into your discussions angry and violent denunciations, harsh and bitter epithets, and are calculated to create party spirit and feuds, will not be denied. While the right to express the sentiments of the people of the State through their representatives on questions of a national character, will not be controverted, yet as citizens and representatives of the people, we shall find the most of our time well employed, if we will carefully and watchfully attend to the increasing and growing interests of the State. We can most profitably employ ourselves in devising means to develop her resources—to make her municipal regulations firm and stable—and to avoid special and partial legislation. By such means we may be able gradually to reduce the principal and interest of our public debt and give an education to every child of the State. When we shall have attended to these things we shall have but little time to spend in bitter party debates. We should at least endeavor to maintain in all our discussions and intercourse with one another, a spirit of harmony, concession and compromise, not forgetting that high conservative position, as a State, that we have always occupied, avoiding alike the extremes of the north as well as the south, remembering that we are one member of this great confederacy, and that is our high mission to allay the excitement of one portion of this Union against the other, by avoiding all appeals to sectional interest.

The Wabash and Erie Canal is accomplishing, as it progresses, all that its friends predicted by the arrangements made by the State with our creditors. Its progress equals the expectation of its warmest friends. Due credit should be given to the board of trustees for the energy they have displayed in pressing forward this great work. It is your plain duty in good faith to carry out all the stipulations and agreements entered into with our creditors in connection with this work, and in no manner whatever throw any obstacles in the way of its advancement. If this work progresses the next two years as it has the past, we shall have, by that time, the waters of the lakes united with the Mississippi. We then shall have in actual operation the longest canal in the United States, carrying upon its bosom the productions of the most fertile part of the Mississippi valley. While we are thus fondly anticipating the future, the mention of this great work to-day brings to our mind the painful reflection, that one who was officially connected with its progress,

and who took so deep an interest in its speedy completion, has lately fallen. Thomas H. Blake died in the midst of his usefulness, having filled a prominent place in the history of his country; he was a man of honor and integrity; he had the confidence of all who knew him, and his loss is a public one.

I repair to the station, which my fellow-citizens have assigned to me, with great diffidence acknowledging my inexperience, distrusting my own ability to accomplish the work before me. Were it not that I shall have the aid of your councils, and that of other departments of the government, and that of my fellow-citizens generally, I should shrink from its responsibilities. But trusting that we all shall devoutly look to that Being, who is alone able to impart wisdom and knowledge, that all of our acts may be done in his fear, and with a firm reliance on His blessings, I undertake the discharge of the duties, determined to make the interest of Indiana the first object of my care, and to devote all my time to her welfare.

The Senate then retired to their Chamber.

On motion by Mr. Cravens,
The House adjourned.

THURSDAY MORNING, DECEMBER 6TH, 1849.

The House met pursuant to adjournment.

The journal of the preceeding day was read.

The Speaker announced the following

STANDING COMMITTEES.

ON ELECTIONS.

Messrs. Dougherty, of B., Stone, Hunter, Shepard, Menaugh, Miller, of M. and F., and Miller, of O.

ON WAYS AND MEANS.

Messrs. Mickle, Robinson, of D., O'Haver, Russell, Wells, Elder, and Morrison.

ON THE JUDICIARY.

Messrs. Hicks, Edwards, Chandler, Graves, Spencer, Carnahan, of F., and Brown, of S.

ON EDUCATION.

Messrs. May, Murray, Caldwell, Thomas, Robinson, of L., Harney, and Thom.

ON THE STATE BANK.

Messrs. Sherrod, Millikan, Watkins, Bowen, Beard, Burnett, and Patterson.

ON MILITARY AFFAIRS.

Messrs. Cravens. Prather, Dodd, Keeney, Gentry, Johnson, and Orr.

ON THE AFFAIRS OF THE STATE PRISON.

Messrs. Prather, Caldwell, Weaver, Cleaver, Lane. Barker, and Lank.

ON THE AFFAIRS OF THE TOWN OF INDIANAPOLIS.

Messrs. Hunter, Shepard, Landis, Shelby, Conner. Ellis, and Reed.

ON CLAIMS.

Messrs. Athon, Gessie, Carnahan, of P., Defrees, Niblack, Knowlton, and Byers.

ON ROADS.

Messrs. Hart, Goodwin, Yocum, Hill, Huey, Cotton, and Alley.

ON CANALS AND INTERNAL IMPROVEMENTS.

Messrs. Wilson, Bird, Cole, Holcomb, Hillis, Dougherty of E., and Butler.

ON AGRICULTURE.

Messrs. Allen, Rush, Warriner, O'Neal, Harvey, Summers, and Humphreys.

ON CORPORATIONS.

Messrs. Leviston, Whinery, Robson, Brown of R., Withers, Murray, and Farnesly.

ON ENROLLED BILLS.

Messrs. Weir, Dodd, Ross, Burnet, May, Millikan, and Wright.

ON ENGROSSED BILLS.

Messrs. Salter, Greathouse, Stone, Richardson, Barker, Spencer, and Carnahan of F.

ON PUBLIC EXPENDITURES.

Messrs. Withers, Stewart, Landis, Knowlton, Patterson, Reed, and Ellis.

ON BENEVOLENT AND SCIENTIFIC INSTITUTIONS.

Messrs. Elder, Campbell, Salter, Brown of R., Sherrod, Robinson of D., and Weir.

ON MANUFACTURES AND COMMERCE.

Messrs. Conner, Stoops, Whinery, Wright, Warriner, Shelby, and Richardson.

 JOINT STANDING COMMITTEES.

ON PUBLIC BUILDINGS.

Messrs. Robson, Delavan, and Conoway.

ON CANAL FUND.

Messrs. Chandler, Tinbrook, and Niblack.

ON STATE LIBRARY.

Messrs. Edwards, Essex, and Morrison.

The Speaker announced the following

ORDER OF BUSINESS :

- I. Reading of the Journal.
- II. Petitions, Memorials, and Remonstrances.
- III. Reports from Standing Committees :
 1. On Elections.
 2. On Ways and Means.
 3. On the Judiciary.
 4. On Education.
 5. On Military Affairs.
 6. On the Affairs of the State Prison.
 7. On the Affairs of the Town of Indianapolis.
 8. On Claims.
 9. On Roads.
 10. On Canals and Internal Improvements.
 11. On Agriculture.
 12. On Corporations.
 13. On the State Bank.
 14. On Public Expenditures.
 15. On the Trust Fund.
 16. On Benevolent and Scientific Institutions.
 17. On Manufactures and Commerce.
- IV. Reports from Joint Standing Committees.
 1. On Public Buildings.
 2. On the Canal Fund.
 3. On the State Library.
- V. Reports from Select Committees.
- VI. Resolutions of the House.
- VII. Joint Resolutions.
- VIII. Bills.
- IX. Orders of the Day.

On motion by Mr. Allen,
Two hundred copies of the order of business were ordered to be printed.

On motion by Mr. Orr,
Two hundred copies of the standing committees were also ordered to be printed.

On motion by Mr. Prather,

Resolved, That the Superintendent of the New Albany and Vincennes turnpike road be requested to make his annual report at an early day.

On motion by Mr. Dodd,

Resolved, That the House will, the Senate concurring therein, proceed to the election of a Bank Director on the part of the State on Saturday next, at 10 o'clock, A. M.

On motion by Mr. Murray,

Resolved, That the judiciary committee be instructed to inquire into the expediency and legality of authorizing the distribution of the 3 per cent. fund, arising from the sale of lands by the General Government, in the great Miami National Reservation, to the counties composing said Reservation, for road purposes.

On motion by Mr. Miller of Fulton,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of revising and simplifying the fees of the several county and township officers of this State, with leave to report by bill or otherwise.

Mr. Barker offered the following resolution :

Resolved, That there be printed for the use of this House, two thousand copies of the annual message of the Governor in the English language, and one thousand in the German language, and also four thousand of the Inaugural message of Governor Wright, in the English language, and one thousand in the German language.

Mr. Caldwell moved to so amend the resolution as to print 20,000 copies of the Inaugural Address.

Which motion did not prevail.

Mr. Mickle moved to strike out "2,000," where it refers to the message, and insert "4,000."

Which motion prevailed.

The resolution, as amended, was adopted.

On motion by Mr. Sherrod,

Resolved, That the bill embracing the constitutional convention and all matters touching that question, be referred to a select committee consisting of one from each congressional district.

The Speaker then announced,
 1st district. Mr. Sherrod,
 2d district. Mr. Cravens,
 3d district. Mr. Ross,
 4th district. Mr. Cole,
 5th district. Mr. Hicks,
 6th district. Mr. Gentry,
 7th district. Mr. Edwards,
 8th district. Mr. Carnahan of F.,
 9th district. Mr. Whinery,
 10th district. Mr. Mickle,

Said committee.

On motion by Mr. Edwards,

Resolved, That the use of this Hall for to-morrow evening is hereby granted to W. S. Unthank, for the purpose of delivering a gratuitous lecture on the application of electricity as a propelling power to machinery.

Mr. Defrees offered the following resolution :

Resolved, That the Auditor of State be requested to furnish this House, as soon as practicable, with the amount of salary and incidental expenses paid each year to the Agent of State since the creation of said office, up to the present time.

Mr. Chandler moved to amend by inserting the words "detailed specification of the items of," in the proper place.

Which motion prevailed.

The question then recurring on the adoption of the resolution, It was decided in the affirmative.

On motion by Mr. Hunter,

Resolved, That the House will, the Senate concurring therein, proceed to elect a Superintendent of the Northern Division of the Central Canal, on Saturday, at 3 o'clock, P. M.

On motion by Mr. Stone,

Resolved, That the committee on agriculture be instructed to inquire into the expediency of so amending the 5th article of the 25th chapter of the revised statutes of the State of Indiana, as to afford additional encouragement to agriculture and to agricultural societies, and to report by bill or otherwise.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

By Mr. Lane,

No. 25. A joint resolution in relation to the slave trade in the District of Columbia.

By Mr. Murray,

No. 26. A joint resolution on the subject of slavery in California.

By Mr. Cole,
No. 27. A joint resolution in favor of annexing Canada to the United States.

By Mr. Lank,
No. 28. A bill to revive an act "to compel speculators to pay a road tax in Randolph county, equal to that paid by actual settlers," approved January 13th, 1845.

By Mr. Russell,
No. 29. A bill to extend the time of holding the Probate Court in Hendricks county.

By Mr. Ross,
No. 30. A bill to amend an act entitled "an act to incorporate the Harrison, New Trenton, and Brookville Turnpike Company," approved January 13th, 1849.

Which were severally read a first time and ordered to a second reading.

By Mr. Hart,
No. 31. A bill to regulate the holding of Circuit Courts in certain counties in the third judicial circuit;

Which was read a first time, when,

On motion,

The rules were suspended and the bill read a second time,

On motion by Mr. Hart,

The bill was then referred to a select committee consisting of Messrs. Hart, Hillis, and Prather.

By Mr. Brown of Randolph,

No. 32. A bill to provide for ascertaining the value of personal property exempt from execution.

By Mr. Wells,

No. 33. A bill to repeal an act entitled "an act to amend the statute providing for the taking of a change of venue in criminal cases.

By Mr. Salter,

No. 34. A bill to incorporate the White County and Monticello Bridge Company.

By Mr. Harney,

No. 35. A bill repealing an act defining the jurisdiction of justices of the peace, so far as relates to Montgomery county.

By Mr. Cole,

No. 36. A bill to authorize the draining of the Peru prairie in Miami county.

By Mr. Hunter,

No. 37. A bill to amend an act to revise and consolidate the several acts of the General Assembly relative to laying out, opening, repairing, changing, and vacating public highways, and erection and repairs of bridges, and to amend the same.

By Mr. Chandler,

No. 38. A bill for the relief of the securities of John W. Harris.

By Mr. Farnsley,

No. 39. A bill for the relief of James P. and Reuben Tyler.
Which were severally read a first time and passed to a second reading.

ORDERS OF THE DAY.

House Bills on their second reading.

No. 1. A bill to provide for holding a Convention of the people to revise and amend the Constitution of this State ;

Was read a second time, when,

Mr. Prather moved to refer the bill to the select committee of one from each congressional district, as provided for by a resolution of the House ;

Which motion prevailed.

No. 2. A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of monied and stock corporations ;

Was read a second time ;

Mr. Edwards moved to lay the bill on the table, and print 200 copies ;

Which motion prevailed.

No. 3. A bill to compel non-resident land owners to pay a road tax equal to that paid by resident land proprietors ;

Was read a second time, when,

Mr. Dougherty of Elkhart moved to suspend the rules, and the bill be read a third time ;

Which motion prevailed.

The bill was read a third time and passed.

No. 4. A bill to authorize the Board of Commissioners of Howard county to borrow money ;

Which was read a second time, when,

Mr. Murray moved to suspend the rules and read the bill a third time ;

Which motion prevailed.

The bill was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 5. A bill to authorize the County Commissioners of Clark county to establish an additional place of holding election in Wood township, of said county ;

Was read a second time, and ordered to be engrossed.

No. 6. A bill relating to appeals and writs of error from Probate Courts ;

Was read a second time ;

Mr. Graves moved to suspend the rules and read the bill a third time ;

Which motion did not prevail.

On motion by Mr. Graves,

The bill was referred to the committee on the judiciary.

No. 7. A bill exempting homesteads from execution ;

Was read a second time ;

On motion by Mr. Dougherty of Elkhart,

The bill was laid on the table.

On motion by Mr. Spencer,

The bill was taken from the table.

Mr. Spencer moved to refer the bill to a committee of one from each judicial circuit.

On motion by Mr. Wilson,

The bill was referred to the committee on the judiciary.

No. 8. A joint resolution on the subject of the reduction of postage ;

Was read a second time, and ordered to be engrossed.

No. 9. A joint resolution on the subject of slavery ;

Was read a second time, when,

Mr. Chandler proposed the following amendment :

“Sec. 2. That our Senators be further instructed, and our Representatives requested, to use their influence in favor of, and vote for a law to abolish the slave trade between the States, and to abolish slavery and the slave trade in the District of Columbia, or remove the capital of the United States of America to a free State.”

On motion by Mr. Withers,

The bill and pending amendments were laid on the table.

No. 10. A bill to repeal the law rendering negroes and mulattoes incompetent to testify in courts of justice, when the State or white persons may be parties ;

Was read a second time, when,

On motion by Mr. Brown of Shelby,

It was laid on the table.

No. 11. A bill to provide for the calling of a convention to revise or change the constitution of the State of Indiana ;

Was being read a second time, when,

On motion by Mr. Dougherty of Boone,

The further reading was dispensed with.

Mr. Spencer moved to refer the same to the select committee on the same subject.

Which motion prevailed.

No. 12. A bill to repeal certain acts in relation to negroes and mulattoes ;

Was read a second time, when,

Mr. Lane moved to lay the same on the table.

Which motion prevailed.

No. 13. A bill in relation to witnesses' fees ;

Was read a second time, when,

On motion by Mr. Orr,

It was referred to the committee on the judiciary.

No. 14. A bill to incorporate the Terre Haute and Evansville Railroad Company ;

Was read a second time, and

Referred to a select committee, consisting of

Messrs. Weir, Edwards, and Cole.

No. 15. A bill to provide for the distribution of the general laws of 1848-9, to the county of Randolph ;

Was read a second time.

Mr. Mickle moved to amend the bill by inserting "12 copies to the county of Adams."

Which motion prevailed.

Mr. Cravens moved to amend the bill by inserting "24 copies to the county of Washington."

Which motion prevailed.

Mr. Edwards moved to amend the bill by inserting "24 copies to the county of Vigo."

Which motion prevailed.

On motion by Mr. Edwards,

The bill was referred to the judiciary committee.

No. 16. A bill to define the jurisdiction of justices of the peace in the county of Vermillion ;

Was read a second time and ordered to be engrossed.

No. 17. A bill to repeal an act therein named ;

Was read a second time and ordered to be engrossed.

No. 18. A bill to extend the term of the circuit court of Marion county, authorized to be begun and held on the last Monday in October, in the year 1849 ;

Was read a second time and ordered to be engrossed.

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 20. A bill for the better improvement of roads and high-ways in Boone county.

Was read a second time, when,

On motion by Mr. Dougherty of Boone,

The rules were suspended, the bill read a third time, and passed.

No. 21. A bill to amend the road laws passed at the last session of the Legislature ;

Was read a second time, when

Mr. Dougherty of Boone moved to amend the same so as to exempt the county of Boone from the provisions of said bill.

When,

On motion by Mr. Hicks,

The bill and pending amendment were referred to the committee on roads.

No. 22. A bill for the preservation of the Northport Feeder Dam ;

Was read a second time and ordered to be engrossed.

No. 23. A bill to provide for the election of township assessors in the county of Greene;

Was read a second time, when,

On motion by Mr. Wilson,

It was referred to the committee of ways and means.

When,

On motion by Mr. Carnahan of Posey,

The committee were instructed to inquire into the expediency of making the law general.

No. 24. A bill to incorporate the American Live Stock Insurance Company ;

Was read a second time, and,

On motion by Mr. Sheppard,

It was referred to the committee on corporations.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have reciprocated the resolution of the House providing for the election of a director of the State Bank of Indiana, on the part of the State, on Saturday next at 10 o'clock, A. M.

The Speaker laid before the House the following communication from his Excellency the Governor :

EXECUTIVE DEPARTMENT, }
December 6th, 1849. }

HON. GEORGE W. CARR,

Speaker of the House of Representatives :

Please lay before the body over which you have the honor to preside, the accompanying communications upon the subject of slavery and agriculture.

Very respectfully,

JOSEPH A. WRIGHT.

The Clerk proceeded to read the communications ; when,

On motion by Mr. Menaugh,

The further reading was dispensed with.

On motion by Mr. Morrison,

The communications were referred to the committee on agriculture.

On motion by Mr. Orr,

Resolved, That any member of this House, having any petition, memorial, remonstrance, resolution, bill, or other matter, of which he was the mover or introducer, referred to either of the standing

committees of this House, shall have the right to meet with and act as a member of said committee in all respects (save the right to vote) during the time that said committee may have such subject under consideration.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 9. An act to amend an act entitled an act to incorporate the Madison and Napoleon Turnpike Company ;

No. 11. An act to give the Monroe Circuit Court jurisdiction of a cause therein mentioned ;

No. 12. An act legalizing the proceedings of the trustees of the corporation of the town of Vevay ;

No. 13. An act for the relief of certain turnpike companies therein named ;

In which the concurrence of the House is respectfully requested.

Senate bill,

No. 9. A bill to amend an act entitled an act to incorporate the Madison and Napoleon Turnpike Company,

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 11. A bill to give the Monroe Circuit Court jurisdiction of a cause therein mentioned ;

Was read a first and second times and ordered to a third reading.

Mr. Gentry moved to suspend the rules and read the bill a third time ;

Which motion did not prevail.

No. 12. A bill to legalize the proceedings of the trustees of the corporation of the town of Vevay ;

Was read a first time and passed to a second reading.

Mr. Spencer moved to suspend rules and read the bill a second time ;

Which motion did not prevail.

No. 13. A bill for the relief of certain turnpike companies therein named ;

Was read a first time and passed to a second reading.

Mr. Butler moved to suspend the rules and read the bill a second time ;

Which motion did not prevail.

On motion by Mr. Graves,

The House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

House met.

On motion by Mr. Prather,

Resolved, That the Treasurer and Auditor of State be requested to furnish this House with all the information in their possession in relation to the lands that were donated by the General Government to the State of Indiana, to aid her in establishing her seat of government, at least so much of said lands and town lots as remain unsold.

Mr. Delavan introduced

No. 40. A bill to repeal all laws of this State authorizing counties to subscribe for any corporation stock, so far as relates to the county of Morgan, and declaring the meaning of certain acts therein named ;

Was read a first time and ordered to a second reading.

On motion by Mr. Lank,

Resolved, That the committee on the judiciary are hereby instructed to inquire into the expediency of so changing the law as to authorize jurors before probate courts to receive the same compensation that is allowed jurors before the Circuit Court, and to report the law approved January 13th, 1845, allowing said jurors only so much as is allowed to jurors before justices of the peace.

Mr. Niblack introduced

No. 41. A bill to change the time of holding the October term of the Probate Court of Martin county ;

Was read a first time and ordered to a second reading.

On motion by Mr. Stone,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of a modification of the relief law of the State of Indiana, and report thereon.

Mr. Alley introduced

No. 42. A bill to increase the fees of witnesses by adding mileage ;

Which was read a first time and ordered to a second reading.

On motion by Mr. Edwards,

Resolved, That when this House adjourns at noon on Saturday next, that it will adjourn until Monday morning following at the usual hour.

Mr. Hunt, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred House bill No. 31, entitled "a bill to regulate the holding of circuit courts in certain counties in the third judicial circuit," have had the same under consideration, and have directed me to report the same back without amendments, and recommend its passage.

No. 31. A bill to regulate the holding of circuit courts in certain counties in the third judicial circuit;

Was read a third time and passed.

By Mr. May—

No. 43. A bill to provide for the election of township assessors in the county of Steuben ;

Was read a first time and passed to a second reading.

By Mr. Johnson—

No. 44. A bill to change the name of Reastine Cox ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Spencer offered the following resolution :

Resolved, That the Door Keeper be instructed to envelope two out of the three respective newspapers ordered by this House, and lay them upon the members' desks for direction, after which, he shall return them to the respective offices of publication.

Which was not adopted.

The Speaker laid before the House the following communication from the Treasurer of State :

INDIANAPOLIS, Dec. 6. 1849.

HON. G. W. CARR,

Speaker of the House of Representatives :

Please lay the enclosed reports before the House of Representatives.

SAMUEL HANNAH,
Treasurer of State.

Mr. Harney offered the following resolution :

Resolved, That so much of the Governor's message as relates to the Northern Division of the Central Canal be now taken up and referred to the committee on claims.

Mr. Prather moved to lay the resolution on the table.

Which motion prevailed.

On motion by Mr. Mickle,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the several statutes of this State in case of replevin, that the replevin defendant shall have the same right to retain the possession of the property sought to be replevined, that the replevin plaintiff has, by giving the same security that is now required by replevin plaintiff, and report by bill or otherwise.

On motion by Mr. Edwards,
The House took up the following message of the Senate.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution, to-wit:

Resolved, That the Senate will, the House of Representatives concurring therein, proceed to the election of the New Albany and Vincennes road on Saturday next, at 2 o'clock, P. M.

In which the concurrence of the House is respectfully requested.

Mr. Edwards moved to concur with the following amendment:

"Strike out 2 o'clock, P. M., and insert 11 o'clock, A. M.;"

Which motion prevailed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Cravens,

Resolved, That the committee on the judiciary be instructed to report a bill giving to justices of the peace exclusive jurisdiction in all criminal prosecutions where the penalty is fine only, and does not exceed twenty dollars.

Mr. Orr introduced,

No. 45. A bill to amend the 43d section of the revised road law of 1849;

Which was read a first time and passed to a second reading.

On motion by Mr. Mickle,

The House adjourned, to meet to-morrow morning at 9 o'clock.

FRIDAY MORNING, 9 O'CLOCK DECEMBER 7, 1849.

The House met.

The journal of the preceding day was read.

The Speaker laid before the House the following communication from the Agent of State :

HON. GEORGE W. CARR,

Speaker of the House of Representatives:

SIR :—Accompanying this, is my annual Report—please to lay it before the House of Representatives.

Yours, very respectfully,

JAS. COLLINS, JR.,

Agent of State.

Indianapolis, December 7, 1849.

Mr. Brown of Shelby moved to lay the report on the table and print 200 copies ;

Which motion prevailed.

Mr. Prather moved to print 300 copies in addition ;

Which motion prevailed.

The Speaker laid before the House the following communication, from the Auditor of State :

STATE AUDITOR'S OFFICE, {
Indianapolis, December 7th, 1849. }

HON. GEORGE W. CARR,

Speaker of the House of Representatives :

SIR :—Be pleased to lay before the House of Representatives the accompanying detailed statement of the amount of salary and incidental expenditures of the Agent of State, from the time reports were made to this Office, until the settlement in October last, furnished in reply to a call of the House of Representatives, made on yesterday.

I am, very respectfully,

Your obedient servant,

D. MAGUIRE,

Auditor of State.

To whom paid.	Amount.	Remarks.
Notary Public,	1 50	For Notarial copy of official appointment.
M. G. Bright,	5 00	Carpet Bag.
M. G. Bright,	2 00	Repairing Trunk.
M. G. Bright,	1 00	Power of Attorney to J. J. Palmer, New York.
John L. Talbott,	79 99	Exps. suit vs. Alfred Williams, in Bankruptcy.
J. M. Gordon,	50 00	Services on settling J. H. Cohen's mortgaged debt.
P. A. Messier,	13 75	Stationery.
Walt Ogden,	45 46	Services in suit of Welluck vs. Morris Canal and Banking Company.
Robert Gilchrist,	25 00	Making extracts from books of Morris Canal and Banking Company.
W. S. Hubbard,	125 00	Clerk hire from August 1, to this date.
M. G. Bright,	310 00	Expenses from 1st May, to this date.
M. G. Bright,	50 00	Postage from 1st May, to this date.
M. G. Bright,	600 00	One half year's salary [first half 2d year.]
Ruggles and Hone,	100 00	Attorney's fees paid 21st April.
Total,	1408 70	
Add, - - -	1 00	Error for former year.
Add for G. H. Dunn,	1409 70	
	908 01	[count of his defalcation in 1846.
		Amt. of Treasury Warrant deposited, received of John Elder, on ac-
Making, - - -	\$2317 71	

ABSTRACT from the report of expenditures by M. G. Bright, State Agent, from November 1, 1843, to April 31, 1844.

<i>To whom paid.</i>	<i>Amount.</i>	<i>Remarks.</i>
Jeremiah Sullivan, -	45 50	Error in his old account as Commissioner.
J. H. Taylor, -	98 04	Cost Bill, State vs. Beckwith.
Wm. S. Hubbard, -	195 98	Clerk hire to 15th February, 1844.
Wm. M. Taylor, -	5 00	Taking Depositions.
Jesse D. Bright, -	77 25	Expenses to Detroit.
John T. Hughes, -	87 39	Clerk hire to May.
M. G. Bright, -	600 00	Salary last half 2d year.
M. G. Bright, -	50 00	Postage.
M. G. Bright, -	460 00	Traveling expenses.
M. G. Bright, -	500 00	Salary 1st half of 3d year.
Making, -	\$2,119 16	

To whom paid.	Amount.	Remarks.
Samuel Judah, -	250 00	Attorney in suit, vs. Jno. Law and others.
P A Mesier, -	22 97	Stationery.
How and Ruggles, -	10 37	Advertizing.
J S. Hunt, -	2,698 00	Attorneys generally in New York.
L Hoyt, -	100 00	Attending to sale &c., of Rail Road stock.
E L Stevens, -	350 00	Attorney generally in New York.
E L Stevens, -	16 00	Attending to renting lots, &c., in Buffalo.
J Howard, Admr., -	60 82	Taxes, &c.
J F D Lanier, -	50 72	For fees to J H Talbott, deceased, at Detroit.
L H Scott, -	10 09	Expenses about claims, vs. Olds and Perills.
Merchant's Bank, -	13 00	Witness' fees in suit, vs. Dr. Coe.
J T Hughes, -	2,486 00	Balance on \$15,000 borrowed by Governor Noble.
Postage, -	217 00	Clerk hire and expenses of Office.
M G Bright, -	50 00	Postage of Agent.
M G Bright, -	920 00	Travelling Expenses.
Jas. M. Ray, -	500 00	One-half year's salary.
Jas. M Ray, -	300 00	Two years' rent of office.
E R Jewett, -	67 98	Balance due on loan from Fund Commissioners.
	6 00	Advertising property at Buffalo.
Making, -	\$8,129 43	

ABSTRACT from the Report of M. G. Bright, State Agent, of Expenditures from 1st November, 1845, to 1st November, 1846.

<i>To whom paid.</i>	<i>Amount.</i>	<i>Remarks.</i>
John T Hughes,	80 00	Services as clerk.
Jno H Thompson,	2 25	Copy of laws.
J C Manley,	5 00	Taking depositions.
H Arculaurius,	1 65	Recording deed.
Theodore Frost,	1 00	Searching for arrearages of taxes.
P A Morrison,	14 54	Stationery.
Lorenzo Hoyt,	312 90	Attorney fees.
J T Bridges,	5 00	Plat and dscription of Jersey City ground.
G B Rollins,	5 00	Auctioneer.
M G Bright,	1,117 00	Traveling expenses.
M G Bright,	1,000 00	Salary.
M G Bright,	100 00	Postage.
Horatio J Harris,	200 00	Taking charge of office and acting as clerk.
E S Alvord,	16 50	For wood, sawing, &c.
Making,	\$2,860 84	

ABSTRACT from the Report of M. G. Bright, State Agent, of Expenditures from Nov. 1, 1846, to Nov. 1, 1847.

To whom paid.	Amount.	Remarks.
N. Clark, -	45 50	Furniture for office.
J. F. D. Lanier, -	1,500 00	Traveling expenses.
Davis & Lane, -	1 25	Binding certificates.
Mann & Delzell, -	5 00	Binding certificates.
W. N. Jackson, -	10 00	Freight of books.
J. A. Ross, -	3 00	Freight of books.
Strader & Gorman, -	6 50	Freight of books.
Steam Boat, -	7 50	Freight of books.
H. J. Harris, -	850 00	Salary and expenses as Assistant Clerk.
Thomas Dowling, -	1,349 00	Salary and expenses as Assistant Clerk.
James H. Cook, -	8 00	Office table.
Thomas Dowling, -	12 70	For expenditures.
James Clark, -	55 50	Furniture.
Mr. Van Norden, -	43 00	Blank books.
N. Y. Express and Journal of Commerce, -	49 44	Advertising.
G. Griswold, -	62 50	Rent of office.
Journal of Commerce, -	2 60	Advertising.
Comstock & Co., -	4 50	For freight.
Wm. Van Norden, -	230 75	Blanks and books.
T. T. Kissinan, -	1 50	Furniture for office.
E. C. Little, -	7 50	Furniture for office.
New York Tribune, -	15 68	Publishing notices.
J. Clark, -	18 38	For book case.

Madison Branch Bank,	-	210 00	For interest.
Madison Branch Bank,	-	150 00	Exchange on \$10,000.
R. A. Tinson & Co., -	-	31 48	For furniture.
Journal of Commerce,	-	6 00	For advertising.
W. W. Rose, -	-	242 78	Blanks, books, and Stationery.
Samuel W. Ripp,	-	60 00	Assistant clerk.
M. G. Bright, -	-	19 58	Office expenses.
Green & Co., -	-	22 60	Transportation.
M. G. Bright, -	-	1,000 00	Salary.
M. G. Bright, -	-	1,455 00	Traveling expenses.
Making,	-	\$7,487 24	

Incidental expenses audited during the same period, under the head of Suspended Debt, viz :

S. Yandes, -	-	100 00	Attorney's fee in State cases.
H. O'Neal, -	-	100 00	Attorney's fee in State cases.
Chapmans, -	-	1 25	Printing.
S. Turner, -	-	2 75	Stationery.
James Broden, -	-	147 00	Taxes.
-----	-	42 04	Exchange on \$4,200 received from Perrill.
Samuel Medary,	-	3 50	Advertising.
D. P. Clark, -	-	400 00	His part of Stoddard's mortgage.
M. G. Bright, -	-	25 00	For trunk.
A. A. Hammond, -	-	100 00	Fee in suit of Dr. Coe.
Bright & Pitcher,	-	538 66	For fees and services in State cases.
D. Bradford, -	-	7 24	Taxes.
D. Bradford, -	-	7 00	Vacating streets.

Incidental expenses audited during the same period, under the head of Suspended Debt—Continued.

<i>To whom paid.</i>	<i>Amount.</i>	<i>Remarks.</i>
J T Bridges, - - -	45 00	For maps.
S C Hawley, - - -	48 29	Costs in case of State vs. him.
H K Vielie, - - -	47 63	Costs in case of State vs. Stoddard.
Samuel Kipp, - - -	60 00	Allowance as counsel.
Barker & Lee, - - -	25 00	Attorney's fee.
Various persons, - - -	332 63	Taxes and redemption of property.
M G Bright, - - -	100 00	Postages.
J Stewart, - - -	122 05	Taxes on Bloomingdale property.
M G Bright, - - -	5 46	Fuel for office.
H Southard, - - -	188 20	Taxes on Jersey City property.
Making, - - -	\$2,499 70	
Add as above, - - -	7,487 24	
Total, - - -	\$9,986 94	

ABSTRACT from the Report of M. G. Bright, State Agent, of Expenditures from 1st November, 1847, to the close of his term of office.

<i>To whom paid.</i>	<i>Amount.</i>	<i>Remarks.</i>
Branch Banks, - - -	\$2,649 32	For exchange and interest.
James Collins, jr., - - -	288 00	As assistant to Agent.
Thomas Dowling, - - -	993 00	As assistant to Agent.
W R Rose, - - -	57 70	Stationery.
Geo. Griswold, - - -	125 00	Rent of office,
Mann & Delzell, - - -	23 00	for binding, &c.
W Kernett, - - -	16 50	For coal.
N York papers, - - -	28 97	For advertising.
W Strader, - - -	14 75	For freight.
O Life and Trust Co., - - -	194 33	For interest on loan last year.
W Mosier, - - -	49 86	Blank books, &c.
J Clark, - - -	12 25	Furniture for office.
T J Barnett, - - -	10 00	Making up account.
W N. Jackson, - - -	8 50	For charges on boxes.
Adams's Express, - - -	9 75	For charges on boxes.
T J Barnett, - - -	1 50	To pay for coal.
M G Bright, - - -	766 66	Balance salary.
S Hannah, - - -	50 00	For signing stock certificates, &c.
D Maguire, - - -	50 00	For signing stock certificates, &c.
A W Morris, - - -	50 00	For numbering the certificates of stock, &c.
Total incidental, - - -	\$5,399 09	

Add for Incidentals Audited under head of Suspended Debt, viz :

<i>To whom paid.</i>	<i>Amount.</i>	<i>Remarks.</i>
Paid by M G Bright, - - -	306 78	For taxes on State property.
Paid by same, - - -	100 00	Attorney's fees to B. F. Butler.
Paid by same, - - -	10 00	Attorney's fees to W. C. Hillis.
M G Bright, - - -	460 00	Traveling expenses from Nov. 1, 1847, to 1st Feb., '48.
M G Bright, - - -	30 00	Postages.
Making, - - -	\$916 78	
Add as above, - - -	5,399 09	
Making, - - -	\$6,315 87	

REPORT NO. 1.

Abstract of Expenditures by James Collins, State Agent, from February 1, 1848, to October 1, 1848.

<i>Object of Expenditures.</i>	<i>Amount.</i>
For small Map, - - - - -	50
For Stationery and Fuel, - - - - -	17 80
For Clerk hire to T Dowling, - - - - -	553 66
For Clerk hire to T J Barnett, - - - - -	597 00
For Porterage, hire of Servants, &c., - - - - -	8 87
For Rent, 1 quarter, - - - - -	62 50
For Expenses of moving Office, - - - - -	4 75
For Servant hire, cleansing office, - - - - -	3 50
For Clerk hire to T J Barnett, - - - - -	222 00
For Servant for Office, - - - - -	2 50
For Postage, - - - - -	2 00
For interest and Exchange, - - - - -	1,357 51
For Personal Expenses to 1st July, - - - - -	635 00
For Office Rent, - - - - -	50 00
For Printing and Stationery, - - - - -	39 29
For Clerk hire to T J Barnett, - - - - -	372 00
For Personal Expenses to August 1st, - - - - -	310 90
For Printing, - - - - -	46 56
For Postage, - - - - -	15 85
For Servant for Office, - - - - -	5 00
For Clerk hire and Expenses, T J Barnett to Sep. 2, - - - - -	192 00
For Personal Expenses to Sep. 2, - - - - -	155 00
For Fuel and Stationery, - - - - -	11 06
For Personal Expenses to Oct. 1, - - - - -	150 00
For Clerk hire, T J Barnett to Oct. 1, - - - - -	192 00
For Salary for Agent 1 year, - - - - -	1,000 00
	<hr/>
	7,006 25

REPORT NO. 2.

Abstract of Expenditures by James Collins. State Agent, from November 1st, 1848, to May 1st, 1849.

<i>Object of Expenditures.</i>	<i>Amount.</i>
Clerk hire to T J Barnett, - - - -	180 00
Office Rent, - - - -	50 00
Servant, - - - -	3 00
Clerk hire to T J Barnett, - - - -	180 00
Servant, - - - -	2 50
Box, and carriage upon it, - - - -	7 00
Servant, - - - -	2 50
Personal Expenses, - - - -	350 09
Coal, - - - -	16 50
Servant, - - - -	2 50
Personal Expenses, - - - -	205 00
Clerk hire to T J Barnett, - - - -	204 00
Postage, - - - -	5 50
Clerk hire to T J Barnett to Jan. 29, - - - -	108 00
Punch 50 cts., Expenses on Box \$6, - - - -	6 50
Interest and Exchange, - - - -	2,522 29
Telegraph, &c., - - - -	4 25
Office Rent, - - - -	50 00
Personal Expenses, - - - -	155 00
Servant for Office, - - - -	3 00
Personal Expenses, - - - -	150 00
Paid for Moving, - - - -	3 00
Servant for Office, - - - -	3 00
Personal Expenses, - - - -	155 00
Blank Books and Stationery, - - - -	191 46
Clerk hire to Thos. L Collins, - - - -	314 00
Paid Lanier & Co., for expenses incurred, - - - -	4 25
	<hr/>
	\$4,875 75
There was also audited to the Treasurer of State, for interest and exchange paid by him, and which goes into the same account, in the Ledger, the sum of - - - -	
	<hr/>
	497 63
	<hr/>
Total, - - - -	\$5,373 38

REPORT NO. 3.

*Abstract of Expenditures by James Collins, State Agent, from May 1,
to October 1, 1849.*

<i>Object of Expenditures.</i>	<i>Amount.</i>
For Personal Expenses to May 1, - - -	150 00
For Personal Expenses to June 1, - - -	160 00
For Rent and Clerk hire to Winslow, Lanier & Co.,	625 00
For Rents for old Office, - - -	16 67
For Postage, - - -	54 44
For Postage, - - -	16 32
For Personal Expenses to July 1, - - -	150 00
For Box Rent for Post Office, - - -	2 00
For Personal Expenses to Aug. 1, - - -	155 00
For Postage to Aug. 1, - - -	14 24
For Postage to Sept. 1, - - -	7 20
For Personal Expenses to Sept. 1, - - -	155 00
For Telegraphic Dispatch to Governor, - - -	1 79
For Personal Expenses to Oct. 1, - - -	150 00
For Postage to Oct. 1, - - -	5 10
For Office Rent and Clerk hire, - - -	625 00
For Telegraphic Dispatch to Auditor, - - -	1 50
For Boxes, Plank, Screws, &c., per bill to Winslow, Lanier & Co., - - -	17 00
For Agent's Salary for 2d year, - - -	1,000 00
Making - - -	\$3,306 38
Add for Interest and Exchange to Banks on Loans,	2,634 50
Add for Premium and Exchange on Loans, -	1,288 41
Total, - - -	\$7,229 20

Mr. Mickle moved to lay the communication from the Auditor of State on the table, and order 200 copies to be printed ;
Which motion prevailed.

The Speaker laid before the House the following communication :

INDIANAPOLIS, Dec. 6, 1849.

HON. GEO. W. CARR,
Speaker of the House of Representatives :

Permit me through you to lay before the Legislature the Sixth Annual Report of the Trustees of the Indiana State Asylum for the Education of the Deaf and Dumb.

In behalf of the Board,

E. R. AMES, *President.*

Mr. Chandler moved to lay the report on the table and order 2000 copies to be printed ;

Which motion prevailed.

The Speaker laid before the House to the following communication ;

BRANCH BANK, }
Indianapolis, Dec. 6, 1849. }

HON. GEO. W. CARR,
Speaker of the House of Representatives :

Please present to the honorable body over which you preside the accompanying Statement of the condition of this Bank, as found on the third Saturday of November, 1849.

Respectfully yours,

T. H. SHARPE, *Cashier.*

The Speaker laid before the House a report of the Branch at South Bend of the State Bank of Indiana.

Also, a report of the Branch at Madison of the State Bank of Indiana.

Which were laid on the table.

PETITIONS, &C., PRESENTED.

By Mr. Mickle,

The petition of citizens of Adams county, praying for the repeal of the turnpike law of Adams county ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Mickle, Huey, and Butler.

By Mr. Conaway,

The petition of citizens of Dearborn county, relative to improving roads in Centre township in said county ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Conaway, Watkins, and Spencer.

By Mr. Patterson,

The petition of sundry citizens of Prairie township, White county, praying for a charter for the Tippecanoe Horse Thief Detecting Company ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Patterson, Weaver, and Salter.

By Mr. Cleaver,

The petition of citizens of Congressional Township eight, in range one west, in the county of Franklin, relative to the congressional school fund belonging to said township ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Cleaver, Ross, and Conaway.

By Mr. Cleaver,

Another petition on the same subject ;

Which,

On motion,

Was referred to the same select committee.

By Mr. Leviston,

The petition of citizens of Union county, for the charter of a turnpike road in said county ;

Which,

On motion,

Was referred to the committee on corporations.

Mr. Edwards moved to take from the table the communication from the Vermont Legislature, in relation to the " American Association for the advancement of Science ;"

Which motion did not prevail.

By Mr. Conaway,

The petition of citizens of Dearborn county, praying for the establishment of an Orphan Asylum, for the relief, protection, instruction, and moral training of destitute Orphans in the State ;

Which,

On motion,

Was referred to the committee on benevolent and scientific institutions ;

By Mr. Graves,

The petition of the auditor and treasurer of Kosciusko county ;

Which,

On motion,

Was referred to a select committee consisting of
Messrs. Graves, Brown of Randolph, and Shepard.

By Mr. Graves,

The petition of William Sloan and Richard Sloan ;
Which,

On motion,

Was referred to the same select committee.

The petition of Henry Berst, Titus G. Berst, John Pi-ash-wa, and
Mary Ann Pi-ash-wa ;

Which,

Was referred to the same select committee.

By Mr. Lank,

The petition of citizens of Randolph county, for the repeal of an
act to define the jurisdiction of justices of the peace in the several
counties therein named ;

Which,

On motion,

Was referred to a select committee consisting of
Messrs. Lauk, Brown of Randolph, and Gentry.

By Mr. Brown of Randolph,

Two petitions of citizens of Randolph county on the same sub-
ject ;

Which,

On motion,

Was referred to the same select committee.

On motion by Mr. Mickle,

The order of business was suspended.

On motion by Mr. Mickle,

Resolved, That the Senate be invited to attend instanter in the Hall
of the House of Representatives, to go into the election of Auditor
and Treasurer of State.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Prather,

The order of business was suspended, when,

On motion by Mr. Prather,

Resolved, That a committee of two on the part of the House act
with a similar committee on the part of the Senate, whose duty it
shall be to examine the bonds surrendered to the Agent of State at
New York since his last annual communication, and report the
facts in the case to this General Assembly.

Resolved, That the Senate be informed of the adoption of this
resolution.

Messrs. Hicks and Wilson were appointed said committee.

On motion by Mr. Edwards,

Leave of absence was granted to Mr. Hill till Monday next.

Mr. Edwards moved to take from the table a memorial from the

Legislature of Vermont, relative to the American Association for the advancement of Science ;

Which motion prevailed ; when,

On motion by Mr. Edwards,

The memorial was referred to the committee on benevolent and scientific institutions.

The Senate then came into the Hall of the House, when both branches of the General Assembly proceeded, in joint convention, to elect an Auditor of State, to fill the vacancy which will occur by the expiration of the term of service of the present incumbent, Messrs. Walpole and Miller acting as tellers, on the part of the Senate, and Messrs. Allen and Robinson of Decatur acting as tellers, on the part of the House.

On counting the votes, it appeared that

Erastus W. H. Ellis received	-	-	-	-	-	85 votes.
Douglass Maguire received	-	-	-	-	-	63 votes.
Blank,	-	-	-	-	-	1 vote.

Erastus W. H. Ellis having received a majority of all the votes given, was declared by the President of the Convention duly elected Auditor of State, to serve as such for a term of three years, from and after the expiration of the term of service of the present incumbent, and until his successor is chosen and qualified.

The joint convention then proceeded to the election of Treasurer of State, to fill the vacancy which will occur by the expiration of the term of service of the present incumbent, Messrs. Walpole and Miller acting as tellers on the part of the Senate, and Messrs. Allen and Carnahan of Posey on the part of the House.

On counting out the votes, it appeared that

James P. Drake received	-	-	-	-	-	85 votes.
Samuel Hannah received	-	-	-	-	-	60 votes.
Blank,	-	-	-	-	-	4 votes.

James P. Drake having received a majority of all the votes given, was declared, by the President of the convention, duly elected Treasurer of State, to serve as such for a term of three years from and after the expiration of the term of service of the present incumbent, and until his successor is chosen and qualified.

The Senate then retired to their chamber.

On motion by Mr. Morrison,

The House adjourned.

Two o'clock, P. M.

The House met.

On motion by Mr. Gessie,
The credentials of the members of the House of Representatives were taken up, and referred to the committee on elections.
A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House without amendment :

No. 18. An act to extend the term of the circuit court of Marion county, authorized to be begun and held on the last Monday in October, in the year 1849.

The Speaker laid before the House the following communication from the State Librarian :

INDIANAPOLIS, Dec. 7, 1849.

HON. G. W. CARR,

Speaker of the House of Representatives :

Sir: Requesting that you will lay the accompanying report before the honorable body over which you preside,

I am, very respectfully,

Your obedient servant,

JOHN B. DILLON.

On motion by Mr. Summers,
The report of the State Librarian was laid on the table, and 500 copies ordered to be printed.

On motion by Mr. Carnahan of Fountain,

Resolved, That the House will, on Monday next, at 10 o'clock, A. M., go into committee of the whole, on the Governor's Message.

On motion by Mr. Patterson,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of appropriating money for the purpose of re-fencing the Tippecanoe Battle Ground, and that they report thereon as soon as practicable.

Mr. Withers offered the following resolution :

Resolved, That this House will not entertain any motion to suspend the rules of this body, in the regular course of business, only in cases of great emergency ; and that bills and joint resolutions shall receive attention only in the order in which they are introduced to the end, that business may be facilitated, and bring the session to a close.

Which resolution was not adopted.

Mr. Niblack offered the following preamble and resolution :

WHEREAS, It appears by the annual report of the Auditor of State, made at the present session of the Legislature, that the last report of the Agent of the New Albany and Vincennes turnpike road was not received by him in time to be included in the said Auditor's report, Therefore,

Resolved, That the Auditor of State be requested to lay the report of said Agent of the New Albany and Vincennes turnpike road above referred to, before this House at as early a day as practicable.

Mr. Prather moved to lay the preamble and resolution on the table.

Which motion did not prevail.

The resolution was then adopted.

On motion by Mr. Athon,

Resolved, That the committee on the judiciary be requested to inquire into the expediency of consolidating all laws in this State relative to schools, into one volume, with instructions to report by bill or otherwise.

Mr. Hicks offered the following resolution :

Resolved, That the committee on roads be instructed to inquire into the expediency of so amending section 101 of the act in relation to roads, passed January 16th, 1849, as to make it the duty of the several county boards to assess a tax for road purposes, on all personal and real estate subject to taxation, not to exceed ten cents on the hundred dollars ; also, to amend the 130th section of said act as to make it discretionary with said boards, as to survey of roads, and that they report by bill or otherwise.

Which was not adopted.

Mr. Millikin offered the following resolution :

Resolved, That the committee on the judiciary be, and they are hereby instructed, to ascertain whether there is now a law in this State for the punishment of persons who may be guilty of compromising with felony ; and if no such law is in existence in the Revised Statutes of 1843, or in the session laws subsequent to that time, said committee be instructed to inquire into the expediency of

the passage of such a law at the present session of the General Assembly, and that they report thereon by bill or otherwise.

Which was not adopted.

Mr. Caldwell offered the following resolution :

Resolved, That five thousand additional copies of the Governor's Inaugural Address be printed for the use of the members of this House.

Mr. Robinson of Decatur moved, to lay the resolution on the table.

Which motion prevailed.

Mr. Lane introduced

No. 46. A joint resolution on the subject of the National Monument at Washington ;

Which was read a first time and passed to a second reading.

Mr. O'Neal introduced

No. 47. A joint resolution on the subject of a Railroad from some point on the Mississippi to the Pacific ;

Which was read a first time and passed to a second reading.

Mr. Brown of Randolph offered the following resolution :

Resolved, That the Doorkeeper be instructed to contract on behalf of this House for two additional copies of the German paper of this town, for each member of this House.

Which was not adopted.

On motion by Mr. Delevan,

The rules were suspended.

On motion by Mr. Delevan,

Resolved, That the committee on roads be instructed to inquire into the expediency of enacting a law prohibiting drovers or others from driving more than a specific number of horses, mules, cattle, or hogs at one time over the public bridges of this State, and report by bill or otherwise.

Mr. Edwards introduced

No. 48. A joint resolution in relation to the right of way for rail roads through the State of Illinois ;

Which was read a first time and ordered to a second reading.

Mr. Whinery introduced

No. 49. A bill relating to the jurisdiction of Notaries public ;

Which was read a first time and ordered to a second reading.

Mr. Shepard introduced

No. 50. A bill to reduce the fees of the Clerks of Probate Courts ;

Which was read a first time and ordered to a second reading.

Mr. Ross introduced

No. 51. A bill to restrict the grand jury in Franklin county to a limited time in their sessions.

Mr. Alley introduced

No. 52. A bill requiring the grand jury of Hancock county to meet on the third day of each term of the Circuit Court of said county.

Mr. Chandler introduced

No. 53. A bill to change the name of Eliza Jane Bristo.

Which were severally read a first time and passed.

Mr. Chandler offered the following resolution :

Resolved, That the Agent of State be requested to report to this House whether in his opinion the office of Agent of State can be abolished, if not, the reason why, and also report what are the duties of the Agent of State.

Mr. Wilson moved to lay the resolution on the table,

Which motion prevailed.

Mr. O'Haver introduced

No. 54. A bill to amend an act entitled, "an act requiring the supervisors of roads in Sullivan county to make report at the March term in each year, and for other purposes," approved January 26, 1847.

Mr. Bird introduced

No. 55. A bill to provide for the payment of jury fees in civil cases, in the Allen Circuit Court.

Mr. Greathouse introduced

No. 56. A bill to change the names of Mary Jane Manning and Margaret Ann Manning.

Which were severally read a first time and ordered to a second reading.

Mr. Allen introduced

No. 57. A bill to amend an act entitled, "an act to regulate the mode of doing county business in Putnam county," approved January 15th, 1849.

Mr. Orr introduced

No. 58. A bill for the relief of tax payers.

Mr. Cole introduced

No. 59. A bill authorizing an additional number of the revised statutes of 1843 to be distributed to the county of Miami.

Which were severally read a first time and ordered to a second reading.

Mr. Goodwin introduced

No. 60. A bill to authorize the voters of Daviess county to vote in Washington township, in said county.

Mr. Withers introduced

No. 61. A bill repealing an act therein named ;

Which was read a first time and ordered to a second reading.

Mr. Chandler introduced

No. 62. A bill to prevent the forfeiture of school lands ;

Which was read a first time and ordered to a second reading.

Mr. Chandler moved to suspend the rule, and read the bill a second time now,

Which motion did not prevail.

Mr. Greathouse introduced

No. 63. A bill in relation to Lamasco City, in the county of Vanderburg ;

Which was read a first time and passed to a second reading.

Mr. Greathouse introduced

No. 64. A bill in relation to extra taxes in Lamasco City, in the county of Vanderburg ;

Which was read a first time and passed to a second reading.

On motion by Mr. Chandler,

The order of business was suspended, and the following resolution offered :

Resolved, That further time to report be granted the committee appointed to inquire into the propriety of abolishing the office of Agent of State, for the purpose of procuring further information upon that subject.

Which was adopted.

ORDERS OF THE DAY.

House Bills on their Third Reading.

No. 5. A bill to authorize the County Commissioners of Clark county to establish an additional place of holding elections in Wood township of said county ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 8. A joint resolution on the subject of the reduction of postage ;

Was read a third time.

Mr. May moved to refer the joint resolution to a select committee with the following instructions :

“ Amend section 1 by striking out all after the words ‘postage on all letters to,’ and insert the words ‘three cents, if paid in advance, and five cents if paid on delivery, and also reduce the postage on all newspapers, pamphlets, or other printed documents to one cent per printed sheet, for all distances whatever.’ ”

Which motion prevailed.

The Speaker appointed Messrs. May, Miller, and Leviston said committee.

No. 16. A bill to define the jurisdiction of justices of the peace in the county of Vermillion ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 17. A bill to repeal an act therein named ;
Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

BILLS ON THEIR SECOND READING.

No. 22. A bill for the preservation of the North Port Feeder Dam ;

On motion by Mr. Hicks,
Was laid on the table.

No. 25. A joint resolution relative to the slave trade in the District of Columbia ;

Was read a second time.

Mr. Withers moved to lay the joint resolution upon the table.

The ayes and noes being demanded by Messrs. Murray and Prather :

Those who voted in the affirmative are,

Messrs. Allen, Alley, Athon, Barker, Brown of Shelby, Byers, Caldwell, Carnahan of Posey, Cleaver, Connor, Cravens, Dougherty of Boone, Dougherty of Elkhart, Ellis, Essex, Farnesly, Gentry, Greathouse, Hart, Hicks, Holcomb, Humphreys, Hunter, Johnson, Landiss, Menaugh, Niblack, O'Haver, Reed, Richardson, Robson, Ross, Shepard, Sherrod, Thomas, Watkins, Wells, Weir, Wilson, Withers, Wright, Yocum, and Mr. Speaker—43.

Those who voted in the negative are,

Messrs. Beard, Bird, Brown of Randolph, Burnet, Butler, Campbell, Carnahan of Fountain, Chandler, Cole, Cotton, Defrees, Delavan, Dodd, Edwards, Elder, Gessie, Goodwin, Graves, Harney, Harvey, Hill, Hillis, Huey, Keeney, Knowlton, Lane, Lank, Leviston, Miller of Marshall and Fulton, Miller of Owen, Millikan, Morrison, Murray, O'Neal, Orr, Patterson, Prather, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Salter, Shelby, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Warriner, Weaver, and Whiney—54.

So the bill was not laid on the table.

On motion by Mr. Dougherty of Boone,

The bill was referred to a select committee, consisting of Messrs. Dougherty of Boone, Lane, and Wilson.

No. 26. A joint resolution on the subject of slavery in California ;

Was read a second time ; when,

On motion by Mr. Dougherty of Boone,
It was referred to the same select committee.

No. 27. A joint resolution in favor of annexing Canada to the United States ;

Was read a second time ; when,

On motion by Mr. Cravens,

It was laid upon the table.

No. 28. A bill to revive an act to compel speculators to pay a road tax in Randolph county equal to that paid by actual settlers, approved Jan. 13, 1845 ;

No. 29. A bill to extend the time of holding the probate court of Hendricks county ;

Were each read a second time and ordered to be engrossed.

No. 30. A bill to amend an act, entitled "An act to incorporate the Harrison, New Trenton, Rochester, and Brookville Turnpike Company," approved Jan. 13, 1849 ;

Was read a second time ; when,

On motion by Mr. Withers,

It was referred to the committee on corporations.

No. 32. A bill to provide for ascertaining the value of personal property exempt from execution ;

Was read a second time.

Mr. Edwards moved to refer it to the committee of ways and means.

Which motion did not prevail.

Then,

On motion by Mr. Mickle,

The bill was referred to the committee on the judiciary.

No. 33. A bill to repeal an act, entitled "An act to amend the Statute providing for taking a change of venue in criminal cases ;

Was read a second time.

Mr. Dougherty of Boone, moved to refer the bill to the committee on the judiciary.

Which motion prevailed.

No. 34. A bill to incorporate the White County Monticello Bridge Company ;

Was read a second time, and,

On motion by Mr. Brown of Shelby,

Referred to the committee on corporations.

No. 35. A bill repealing an act relating to the jurisdiction of justices of the peace, so far as relates to Montgomery county ;

Was read a second time and ordered to be engrossed.

No. 36. A bill to authorize the draining of the Peru prairie in Miami county ;

Was read a second time.

Mr. Dougherty of Boone moved to refer the bill to the committee on corporations.

Which motion prevailed.

No. 37. A bill to amend an act to revise and consolidate the

several acts of the General Assembly relative to the laying out, opening and repairing, changing and vacating public highways, and erection and repair of bridges and to amend the same;

Was read a second time.

Mr. Brown of Shelby moved to refer the bill to the committee on roads.

Which motion prevailed.

No. 38. A bill for the relief of the securities of John R. Harris;

Was read a second time, when

On motion by Mr. Brown of Randolph,

It was referred to the committee on the judiciary.

No. 39. A bill for the relief of James P. and Reuben Tyler;

Was read a second time, when,

On motion by Mr. Robinson of Decatur,

It was referred to the committee on claims.

No. 40. A bill to repeal all laws of this State authorizing counties to subscribe for any corporation stock, so far as relates to the county of Morgan, and declaring the meaning of certain acts therein named;

Was read a second time and ordered to be engrossed.

No. 41. An act to change the time of holding the October term of the Probate Court of Martin county;

Was read a second time and ordered to be engrossed.

No. 42. A bill to increase the fees of witnesses by adding mileage;

Was read a second time.

Mr. Patterson moved to amend by striking out "three cents" and inserting "five cents;"

Which motion did not prevail.

Mr. Chandler moved to refer the bill to the committee on the judiciary;

Which motion prevailed.

No. 43. A bill to provide for the election of township assessors in the county of Steuben;

Was read a second time.

Mr. Lane moved to lay the bill on the table;

Which motion prevailed.

No. 45. A bill to amend the 43d section of the revised road law of 1849;

Was read a second time, and,

On motion by Mr. Shepard,

Referred to the committee on roads.

Senate Bills on third reading.

No. 11. A bill to give the Monroe Circuit Court jurisdiction of a cause therein named;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof without amendment, to-wit :

No. 31. An act to regulate the holding the Circuit Courts in certain counties in the third judicial circuit.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the amendment of the House to the resolution of the Senate providing for the election of a Superintendent of the New Albany and Vincennes Road.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled :

No. 31. An act to regulate the holding of Circuit Courts in certain counties in the third judicial circuit.

Whereupon the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Ross,
The House adjourned.

SATURDAY MORNING, 9 o'clock, December 8th, 1849.

The House met.

The journal of the preceding day was read.

On motion by Mr. Robson,
The order of business was suspended.
Mr. Robson introduced

No. 65. A joint resolution authorizing the reports from the State Bank and the Commissioners of the Sinking Fund to be made on the second week of the session :

Which was read a first time and passed to a second reading.

Mr. Robson moved to suspend the rules and read the bill a second time ;

Which motion did not prevail.

The Speaker laid before House the following communication from the Auditor of State :

STATE AUDITOR'S OFFICE, {
Indianapolis, December 8th, 1849. }

HON. GEORGE W. CARR,

Speaker of the House of Representatives :

SIR :—Please lay before the House of Representatives the annual report of the Agent of the New Albany and Vincennes Road, called for by a resolution of the House of yesterday's date.

I am, very respectfully,

Your obedient servant,

D. MAGUIRE,

Auditor of State.

On motion,

The report of the Agent of the New Albany and Vincennes Road was laid on the table, and 200 copies ordered to be printed.

PETITIONS &C., PRESENTED.

By Mr. Miller, of Marshall and Fulton.

The petition of O. S. Welton, and other citizens of Fulton county ;
Which,

On motion by Mr. Carnahan of Posey,

Was laid on the table.

By Mr. Gessie,

The petition of citizens of Vermillion county, relative to pedlars ;
Which,

On motion,

Was referred to a select committee consisting of
Messrs. Gessie, Carnahan of Fountain, and Chandler.

By Mr. Edwards,

The petition of citizens of Vigo county, on the same subject ;
Which,

On motion.

Was referred to the same select committee.

Mr. Brown of Shelby, moved to suspend the order of business to take up the message from the Senate, on the subject of going into the election of President Judge of the 5th Judicial Circuit.

Which motion did not prevail.

By Mr. Robson,

The petition of citizens of Cumberland, relative to vacating alleys in said town ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Robson, Hunter, and Robinson of Decatur.

By Mr. Menaugh,

The petition of citizens of Floyd, Washington, and Clark counties, for the location of a State road from Greenville in Floyd county, at a point where the county road now intersects the turnpike road, and running northward, making Daniel Coats' farm a point, and from thence to the town of Pekin :

Which,

On motion,

Was referred to the committee on roads.

By Mr. Carnahan of Fountain,

The petition of citizens of Fountain county, praying for the establishment of a State Asylum, for the relief, protection, instruction, and moral training of destitute orphans ;

Which,

On motion,

Was referred to the committee on benevolent and scientific institutions.

By Mr. Dodd,

The petition of citizens of Grant county, praying for a road tax ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Dodd, Miller of Marshall and Fulton, and Leviston.

By Mr. Miller, of Marshall and Fulton,

The petition of citizens of Stark county, praying for the enactment of a law organizing the said county :

Which,

On motion,

Was referred to a select committee consisting of Messrs. Miller of Marshall and Fulton, Robinson of Laporte, and Leviston.

By Mr. Butler,

The Temperance memorial of citizens of Wayne county ;

Which,

On motion by Mr. Butler,

Was referred to a committee of one from each Judicial Circuit.

The Speaker appointed the following members said committee

6th Circuit—Mr. Butler,

1st Circuit—Mr. Campbell,

2d Circuit—Mr. Morrison,

3d Circuit—Mr. Wright,
 4th Circuit—Mr. Holcomb,
 5th Circuit—Mr. Russell,
 7th Circuit—Mr. Gessie,
 8th Circuit—Mr. Miller of F.,
 9th Circuit—Mr. Dougherty of E.,
 10th Circuit—Mr. Miller of Owen,
 11th Circuit—Mr. Huey,
 12th Circuit—Mr. Keeny,
 13th Circuit—Mr. Knowlton.

By Mr. Thomas,

The Temperance memorial of citizens of Posey county ;

Which,

On motion,

Was referred to the same select committee.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have adopted the following resolution to-wit :

Resolved, That the Senate proceed instanter with closed doors, to the election of a Bank Director, and that the House be informed thereof.

The hour having arrived,

On motion by Mr. Niblack,

The House proceeded with closed doors to the election of Bank Director, to fill the vacancy occasioned by the expiration of the term of service of the Hon. William K. Rochester, Messrs. Dodd and Prather acting as tellers.

On counting the first ballot, it appeared that

Parmenter M. Parks received	-	-	-	-	-	-	55 votes.
James Switzer,	-	-	-	-	-	-	40 "
Scattering,	-	-	-	-	-	-	4 "

Mr. Parks having received a majority of all the votes given, was by the Speaker declared duly elected on the part of the House to serve as Director of the State Bank of Indiana, for and during the term of four years, from and after the expiration of the term of service of the present incumbent.

Ordered, That the Clerk inform the Senate thereof by a sealed message.

The following message was received from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to deliver to the House of Representatives the accompanying sealed message, in relation to the election of a Bank Director of the State Bank of Indiana, on the part of the State.

MR. SPEAKER :

I am directed by the Senate to inform the House, that at an election for a Director of the State Bank of Indiana, held with closed doors in pursuance of a resolution of the two Houses, Parmenter M. Parks received on the first balloting a majority of all the votes given, and was declared duly elected, on the part of the Senate, a Director of the State Bank of Indiana on the part of the State, to serve as such for and during the term of four years from and after the expiration of the term of service of William K. Rochester, whose term of service is about to expire.

F. EMERSON,
Secretary of the Senate.

Mr. Menaugh moved to reconsider the vote referring the petition of divers citizens of Washington and Clark counties in relation to the location of a State road, &c., to the committee on roads.

Which motion did not prevail.

On motion by Mr. Niblack,

Resolved, That the Senate be invited to attend, instantler, in the Hall of the House of Representatives, to proceed to the election of a Superintendent of the New Albany and Vincennes Turnpike road.

On motion by Mr. Lane,

The order of business was suspended, and

No. 46. A joint resolution on the subject of the National Monument at Washington,

Was taken up and read a second time.

On motion by Mr. Brown of Shelby,

The rules were suspended, the joint resolution read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

The Senate then came into the Hall of the House, and took their seats on the right of the Speaker's chair, when both Houses of the General Assembly of the State of Indiana, in joint convention, proceeded to a first ballot for Superintendent of the New Albany and Vincennes Turnpike road ;

Messrs. Harvey and Dawson acting as tellers on the part of the Senate, and Messrs. Niblack and Robinson of Laporte acting as tellers on the part of the House.

On counting the votes it appeared that

Joel Vandaver received	-	-	-	-	-	-	92	votes.
Michael O'Reily	"	-	-	-	-	-	44	"
Blank	"	-	-	-	-	-	10	"

Mr. Vandaver having received a majority of all the votes given, was, by the President of the convention, declared duly elected Superintendent of the New Albany and Vincennes Turnpike road, for and during the term of two years, from and after the expiration of the term of service of the present incumbent, and until his successor is elected and qualified.

The convention then adjourned *sine die*.

The Senate then retired to their chamber.

The Speaker laid before the House the annual report of the Trustees of the Indiana Institute for the Education of the Blind.

Mr. Elder moved to lay the report upon the table and order the printing of fifteen hundred copies, five hundred for the use of the Institute, and one thousand for the use of the members of the House of Representatives.

Mr. Chandler moved to amend by ordering the printing of one thousand copies for the use of the Institute;

Which motion did not prevail.

The question on the motion by Mr. Elder was then decided in the affirmative.

By Mr. Miller of Marshall and Fulton,

The petition of citizens of Fulton county, relative to certain purchasers of Michigan road lands.

Mr. Spencer moved to refer the petition to a select committee;

Which motion did not prevail.

On motion by Mr. Mickle,

The petition was referred to the committee on claims.

By Mr. Chandler,

The temperance memorial of citizens of Warren county.

Which,

On motion,

Was referred to the committee of one from each judicial circuit on the same subject.

By Mr. Chandler,

The petition of the county officers of Warren county in relation to the time of holding the sessions of the board of equalization of said county.

Also, a petition relative to the law of the last session of the Legislature to increase and extend the benefits of common schools.

Which,

On motion,

Were referred to the committee on the judiciary.

REPORTS FROM COMMITTEES.

Mr. Athon, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The committee on claims to whom was referred House bill No. 39, for the relief of James P. and Reuben N. Tyler, have had the same under consideration, and report the same back, without amendment, and recommend its passage.

No. 39. A bill for the relief of James P. and Reuben N. Tyler ;
Which was read a second time and ordered to be engrossed.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to which was referred a bill of the Senate No. 36, entitled, "an act to authorize the draining of the Peru Prairie in Miami county," have had the same under consideration, made one amendment thereto, and directed me to report the same back to the House, recommend the adoption of said amendment, and the passage of said bill.

Amend by adding the following section :

Sec 17. The President and Directors of said Company shall be individually liable for all debts contracted over and above the reasonable estimate of the Engineer.

Which amendment was concurred in ;

The bill as amended was ordered to be engrossed.

RESOLUTIONS INTRODUCED.

Mr. Spencer offered the following resolution :

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of reporting a bill providing for making the securities on appeal bonds in appeals from the judgments of justices of the peace to the circuit court, liable to an execution jointly with the appellor, and of making the property of such securities liable to the lien of any judgment obtained in the circuit court as effectually as the property of the appellor is now by law liable.

The resolution was not adopted.

On motion by Mr. Murray,

Resolved, That the use of this Hall be granted to the Higgins Family for this, and Monday evenings, for the purposes of giving a concert: *Provided*, That the proceeds of one evening be appropriated to the benefit of the Good Intent Fire Engine Company, of the Western Liberties, of this city.

Mr. Weir offered the following resolution :

Resolved, That the Doorkeeper cause the crowds of apple pedlars, cigar pedlars, candy pedlars, and all other pedlars who frequent the lobbies, from day to day, (to the great annoyance of members) to disperse, and that the lobbies be kept clear of such annoyance during the session.

Which resolution was not adopted.

On motion by Mr. Spencer,

Resolved, That the committee on education be instructed to inquire into the necessity of changing the provisions of sections 11 and 19 of the act to extend the benefits of common schools, so as to entitle congressional townships to a distributive share of the school fund though the report, required by the 11th section of said act, be not made on or before the 1st day of October annually.

On motion by Mr. Wilson,

Mr. Murray was added to the select committee to whom was referred

No. 25. A joint resolution on the slave trade in the District of Columbia ;

And,

No. 26. A joint resolution on the subject of slavery in California.

On motion by Mr. Campbell,

Resolved, That the Superintendent of the Northern Division of the Central Canal is hereby instructed to report to this House at an early day as practicable, the amount of water rents due from each person, respectively.

On motion by Mr. Robinson of Decatur,

Resolved, That the committee on ways and means be and they are here hereby authorized to employ a clerk, whenever they shall find it necessary so to do, at a compensation not to exceed three dollars per day.

On motion by Mr. Ross,

Resolved, That the committee on corporations be instructed to report as soon as practicably on bill No. 30, entitled "an act to amend an act to incorporate the Harrison, New Trenton, Rochester, and Brookville Turnpike Company.

On motion by Mr. Orr,

Resolved, That the committee on roads be instructed to inquire into the propriety of permitting and allowing supervisors of roads to be elected by the qualified voters only of their respective districts, and report by bill or otherwise.

On motion by Mr. Graves,

Resolved, That the committee on education be instructed to inquire whether any legislation is necessary with regard to the distribution of the school funds raised by taxation in townships divided by county lines, where one of the counties in which the same is situated shall have voted against the common school law.

On motion by Mr. Brown of Shelby,

The following message from the Senate was taken up.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution, to-wit :

Resolved, That the Senate will, the House of Representatives concurring therein, go into the election of President Judge of the 5th judicial circuit of Indiana, on Monday next at 10 o'clock, A. M.

Which resolution,

On motion,

Was concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Holcomb,

Resolved, That the committee on the judiciary be instructed to inquire into the necessity of passing an act to declare the law in force in those counties that voted in favor of an act to increase and extend the benefits of common schools, at the last August election, and that said committee be instructed to report at the earliest practicable moment.

On motion by Mr. Warriner,

Resolved, That the Auditor of State inform this House whether the 24th section of "an act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved January 19, 1846, has been complied with, and if not, what is the cause that it has not been.

On motion by Mr. Shepard,

Resolved, That the committee on the judiciary be instructed to inquire into the propriety of limiting by law the time of bringing suits on official bonds, and report by bill or otherwise.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. Humphreys introduced

No. 67. A joint resolution in relation to the soldiers of the late war with Great Britain ;

Mr. Murray introduced

No. 68. A joint resolution in reference to the reduction of the price of lands in the Miami National Reservation ;

Which were each read a first time, and passed to a second reading.

No. 69. A bill to authorize the Governor, Auditor, and Treasurer of State to borrow money sufficient to pay the interest on the funded debt, on the first of January and July, 1850 ;

Which was read a first time, and passed to a second reading.

Mr. Withers moved to suspend the rules and read the bill a second time.

Which motion did not prevail.

Mr. Brown of Randolph introduced

No. 70. A bill to extend the time of paying taxes for the year 1849, in the county of Randolph ;

Mr. Murray introduced

No. 71. A bill to repeal the proviso of an act therein named ;

Mr. Spencer introduced

No. 72. A bill to prohibit the stretching of seines across Laughery creek, in the State of Indiana ;

Mr. Shelby introduced

No. 73. A bill to amend an act entitled "an act to incorporate the Lafayette Insurance Company," approved February 8, 1836 ;

Mr. Butler introduced

No. 74. A bill to repeal an act "concerning free negroes, mulattoes, servants, and slaves," approved February 10, 1831 ;

Mr. Spencer introduced

No. 75. A bill to amend an act entitled "an act to authorize supervisors to work a certain road in Ohio county ;

Mr. Robinson of Decatur introduced

No. 76. A bill to legalize a certain act therein named ;

Which were severally read a first time, and passed to a second reading.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the resolution of the House appointing a committee of two, to act with a similar committee on the part of the Senate, to examine the Bonds surrendered to the Agent of State since his last annual report, and have appointed

Messrs. Hamrick and Lyon said committee on the part of the Senate.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled :

No. 18. An act to extend the term of the circuit court of Marion county, authorized to be begun on the last Monday in October 1849.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk inform the Senate thereof.

On motion by Mr. Robinson of Decatur,
The House adjourned till 9 o'clock, A. M., on Monday next.

MONDAY MORNING, 9 o'clock, December 10, 1849.

House met pursuant to adjournment.

The journal of the preceding day was read.

The Speaker laid before the House the following communication from the President of the State Bank :

STATE BANK OF INDIANA, }
Indianapolis, December 8, 1849. }

HON. GEORGE W. CARR,

Speaker of the House of Representatives :

SIR :—Please lay before the House of Representatives the accompanying report of the State Bank and Branches.

Respectfully,

J. MORRISON,
President.

Mr. Mickle moved to lay the Report on the table, and order 500 copies to be printed ;

Which motion prevailed.

The Speaker laid before the House the following communication from the President of the Sinking Fund :

OFFICE OF THE COMMISSIONERS OF THE SINKING FUND, }
Indianapolis, December 8, 1849. }

HON. GEORGE W. CARR,
Speaker of the House of Representatives :

SIR :—Please lay before the House of Representatives the accompanying report of the Commissioners of the Sinking Fund.

Respectfully,

J. MORRISON,
President.

Mr. Withers moved to lay the Report on the table, and order 500 copies to be printed ;

Which motion prevailed.

The Speaker laid before the House the reports of the Branches of the State Bank, at Terre Haute, Richmond, Lawrenceburg, Evansville, and Fort Wayne.

Mr. Cravens moved to lay the reports on the table ;

Which motion prevailed.

The Speaker laid before the House the following communication from the Auditor and Treasurer of State :

HON. G. W. CARR,
Speaker of the House of Representatives :

SIR :—In reply to a resolution of the House adopted on the 6th inst., calling on the Treasurer and Auditor of State for information in relation to the lands and town lots remaining unsold in and around the town of Indianapolis, the following statement is submitted :

The following described property has not been offered for sale, and still belongs to the State, viz .

That part of out-lot No. 147, lying North of the arm which conducts the water from the main canal to the lower basin, containing some fifteen acres more or less.

The Ferry Lot, so called, containing some two acres more or less, on White River, a short distance below the Bridges.

A portion of square No. 48, lying immediately North of the State House.

Lot No. 1, in square 68, upon which the Treasurer's residence and office are erected.

Lots 4, 5, and 6, in square 47, which were purchased some ten years ago for the Governor.

The Circle, situated in the centre of the city, and intended originally for the Governor.

Square No. 25, reserved for the State University, and leased in 1832, for the term of thirty years, to the Board of Seminary Trustees of Marion county, for the use of a County Seminary.

Very respectfully,

Your obedient servant,

D. MAGUIRE,

Auditor of State.

SAMUEL HANNAH,

Treasurer of State.

Mr. Prather moved to refer the communication to a select committee of three, with the following instructions :

“To report a bill authorizing the Auditor and Treasurer of State to sell the following parcels of land and town lots for the best possible price, and at such time as they may think would accomplish that object :

Lots Nos. 4, 5, and 6, square No. 25.

Out-lot No. 147, containing 15 acres.

Ferry lot containing 2 acres.

Square No. 48 immediately north of the State House, except one lot in the South east corner of said square be set apart for offices of Treasurer of State, Auditor of State, and Secretary of State.

Also, sell the lot on which the Treasurer's office and residence is situated, and that the amount of such sales to be made a part of a general common school fund and distributed to each county of the State, as other school funds are distributed, except the amount for which the Treasury lot shall sell, which amount shall be set apart for the offices for the Treasurer, Auditor, and Secretary of State.”

Mr. Withers moved to refer the communication to the committee on Ways and Means ;

Which motion did not prevail.

The question then being to refer the communication to a select committee with instructions was decided in the affirmative.

The Speaker appointed Messrs. Prather, Robson, and Wilson, said committee.

PETITIONS, &C., PRESENTED.

By Mr. Niblack,

The petition of America Butler of Martin county, praying for a divorce ; which,

On motion,

Was referred to a select committee, consisting of Messrs. Niblack, Humphreys, and Shepard.

By Mr. Barker,

The petition of Hiram Webb and other citizens of Dubois county praying for a divorce ; which,

On motion by Mr. Chandler,
Was laid on the table.

By Mr. Brown of Randolph,

Two petitions of citizens of Randolph county, praying for the repeal of "act to define the jurisdiction of justices of the peace in the several counties therein named," so far as said act relates to Randolph county; which,

On motion,

Was referred to the select committee appointed on similar petitions from the same county.

By Mr. Bird,

The petition of Ann Blythestone, grand daughter of the late Col. William Webb, who fell at the massacre of Fort Dearborn; which,

On motion,

Was referred the committee on claims.

On motion by Mr. Bird,

The order of business was suspended.

Mr. Bird offered the following resolution:

Resolved, That the House will, this day at 10 o'clock, the Senate concurring, proceed to the election of a Superintendant of the Northern Division of Central Canal.

Mr. Prather moved to lay the resolution on the table;
Which motion prevailed.

By Mr. Niblack,

The petition of Peter Helphenstine, of Martin county;
Which,

On motion,

Was referred to the committee on education.

By Mr. Murray,

The petition of citizens of Miami and Howard counties for a State road in said counties;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Murray, Cole, and Morrison.

By Mr. Mickle,

The petition of D. McDonald, David Showers, and other citizens, of Adams county, praying for the relocation of the county seat;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Mickle, Huey, and Bird.

By Mr. Ellis,

The petition of citizens of Madison county, praying for the passage of a law to authorize Recorders to solemnize marriages;

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Beard,

The petition of citizens of Wayne county, relative to the extra school tax in Congressional township, No. 17 north, range 13 east, of the 2d principal meridian ;

Which,

On motion,

Was referred to the committee on education.

By Mr. Athon,

The petition of citizens of Letter C, part of lot No. 2, in the Illinois grant, in Clark county ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Athon, Wilson, and Wells.

By Mr. Prather,

The petition of Horatio Thompson and others, on the subject of roads ;

Which,

On motion by Mr. Prather,

Was referred to the committee on roads.

By Mr. Orr,

The petition of sundry county officers of Delaware county, relative to legalizing certain conveyances, &c., of land and lots in New Albany and New Burlington, in said county ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Orr, Brown of Shelby, and Whinery.

On motion by Mr. Dodd,

The rules were suspended.

On motion by Mr. Dodd,

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives, instantler, to proceed to the election of a President Judge for the 5th judicial circuit of the State of Indiana, and that seats be provided for their accommodation on the right of the Speaker's Chair.

By Mr. Mickle,

The petition of citizens of Hartford, Adams county, praying for the enactment of a law to authorize William McDowell to build and keep up a mill-dam across the Wabash river ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Mickle, Bird, and Lane.

By Mr. Ross,

The temperance memorial of citizens of Franklin county ;

Which,

On motion,

Was referred to the select committee of one from each judicial circuit on the same subject.

By Mr. O'Haver,

The temperance memorial of citizens of Sullivan county ;

Which,

On motion,

Was referred to the select committee of one from each judicial circuit on the same subject.

By Mr. Lank,

The temperance memorials of citizens of Randolph county ;

Which,

On motion,

Was referred to the select committee of one from each judicial circuit on the same subject.

On motion by Mr. Murray,

The rules were suspended.

Mr. Murray offered the following resolution :

Resolved, That the select committee on the subject of abolishing the office of Agent of State have leave to send for persons and papers.

The Senate then came into the Hall of the House, and took their seats on the right of the Speaker's Chair, when both Houses in joint convention, proceeded, by ballot, to the election of a President Judge of the 5th judicial circuit, Messrs. Martin and Holloway acting as tellers on the part of the Senate, and Messrs. Dodd and Graves on the part of the House.

On counting the votes, it appeared that—

William W. Wick received	-	-	-	93 votes.
Fabius M. Finch received	-	-	-	25 votes.
Scattering,	-	-	-	12 votes.
Blank,	-	-	-	15 votes.

William W. Wick having received a majority of all the votes given, was declared duly elected President Judge of the 5th judicial circuit, to serve as such for the term of seven years from and after the expiration of the term of service of the present incumbent.

The Senate then retired to their Chamber.

The resolution of Mr. Murray, which was pending when the House went into joint convention, came up for consideration.

The question being on the adoption of the resolution,

It was decided in the affirmative.

On motion by Mr. Wilson,

The order of business was suspended.

Mr. Wilson offered the following preamble and resolution :

WHEREAS, This House has ordered the printing of two thousand copies of the Governor's message in the German language, there-

by drawing an invidious distinction between emigrants from different foreign countries, who should alike be not only protected by our laws, but also afforded the same facility for understanding them; AND WHEREAS, If we owe to one more than another European nation a debt of gratitude, that nation certainly is France; Therefore,

Resolved, That a like number of the Ex-Governor's message and the Inaugural of the present Governor, as has been authorized to be printed in the French language for the use of the members of this House.

The ayes and noes being demanded by Messrs. Wilson and Withers,

Those who voted in the affirmative are,

Messrs. Athon, Barker, Bird, Bowen, Carnahan of Fountain, Cole Connor, Edwards, Graves, Harvey, Hillis, Miller of Owen, Murray, Niblack, O'Haver, Reed, Rush, Shepard, Stewart, Stone, Wells, Weir, Wilson, Whinery, and Mr. Speaker—25.

Those who voted in the negative are,

Messrs. Allen, Alley, Beard, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Campbell, Carnahan of Posey, Chandler, Cleaver, Conaway, Cotton, Cravens, Defrees, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Greathouse, Hart, Hicks, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Landis, Lane, Lank, Menaugh, Mickle, Miller of Marshall and Fulton, Millikan, Morrison, O'Neal, Orr, Patterson, Prather, Richardson, Robinson of Decatur, Robinson of Laporte, Robson, Ross, Russell, Shelby, Sherrod, Spencer, Stoops, Summers, Thom, Thomas, Tinbrook, Warriner, Watkins, Weaver, Withers, Wright, and Yocum—69.

So the resolution was not adopted.

The Speaker laid before the House the following communication from the Warden of the State Prison:

Indianapolis, December 10, 1849.

HON. GEORGE W. CARR,

Speaker of the House of Representatives:

Will please lay the accompanying Warden's report for the year

ending 30th day of November, 1849, before the body over which he presides.

Very respectfully,

Your humble servant,

LEMUEL FORD,

Warden of the State Prison.

Mr. Brown of Shelby moved to lay the report of the Warden on the table and order 500 copies to be printed.

Mr. Athon moved to order the printing of 400 copies for the use of the House, and 100 for the use of the Warden ;

Which motion prevailed, and it was so ordered by the House.

The Speaker laid before the House the following communication from the Auditor of State :

STATE AUDITOR'S OFFICE, }
December 10th, 1849. }

HON. GEORGE W. CARR,

Speaker of the House of Representatives :

SIR—The following resolution, adopted by the House on Saturday, was received by me after the adjournment on that day, viz :

“ *Resolved*, That the Auditor of State inform this House whether the 24th section of “ an act, supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville,” approved January 19, 1846, has been complied with, and if not, what is the cause that it is not.”

To the resolution I reply as follows : Early in August, 1847, the appraisers appointed as directed by law, applied at this office for the purpose of procuring a list of the lands belonging to both divisions of the Canal, (which I had made out in pursuance of the latter clause of the 23d section of the act above referred to,) and, having procured the list, they proceeded immediately, as I understood, to the discharge of their duties, as required in the 24th section of the said act. In the early part of December of the same year, the appraisers filed in the Auditor's office a copy of the appraisement which they had made of the lands belonging to the Wabash and Erie Canal West of Tippecanoe. No re-appraisement of the lands East of Tippecanoe has ever been filed in this office. Whether such a re-appraisement of those lands was made or not I have no official information. Why the re-appraisement of the lands East of Tippecanoe was not made and filed in this office is a question totally beyond my power to answer, and would, I think, be more appropriately addressed to the Trustees of the Wabash and Erie

Canal, who alone are capable of explaining the reasons which influence their conduct.

With high respect, I am,

Your obedient servant,

D. MAGUIRE,
Auditor of State.

Mr. Prather moved to refer the communication to the committee on canals and internal improvements;

Which motion prevailed.

REPORTS FROM COMMITTEES.

Mr. Mickle, from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred sundry petitions from the citizens of the county of Adams, praying an alteration in the law to establish a free turnpike road in Adams county, have, according to order, had the same under consideration, and directed me to report the following bill, respectfully recommend its passage, and ask to be discharged from the further consideration thereof:

No. 77. A bill to amend the act establishing a free Turnpike road in Adams county;

Which was read a first time and passed to a second reading.

Mr. Graves, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of the Auditor and Treasurer of Kosciusko county, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 78. A bill to legalize the settlement of the Auditor and Treasurer of Kosciusko county, for the financial year ending June, 1849, and for other purposes ;

Which was read a first time and passed to a second reading.

Mr. May, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred No. 8, a joint resolution on the subject of the reduction of postage, with instructions to amend the same, do now report back said joint resolution, amended in conformity with the instructions of the House.

Amend section 1 by striking out all after the words "postage on

all letters to," and insert the words, "three cents if paid in advance, and five cents if paid on delivery, and also reduce the postage on all newspapers, pamphlets, or other printed documents, to one cent per printed sheet for all distances whatever."

The question being on concurring in the proposed amendment, Mr. Russell moved to lay the amendment on the table ;

Which motion prevailed.

The bill was then read a third time, when,

Mr. Russell moved to recommit to the same select committee with the following instructions, to-wit :

After the word "pamphlets" in section 1, insert, "within thirty miles of the office of publication, and all distances over thirty miles the present rate of postage.

Mr. Conner moved to amend the instructions as follows :

To amend so as to embrace the following provisions :

That all newspapers and pamphlets of one sheet pay at the rate of twenty cents per year, in the State or Territory where published, and forty cents per year, where they pass out of such State, &c.

All matter published by authority of Congress pass throughout the Union free ; and all documents published by authority of the Legislature of any of the States or Territories of this Union pass free in such State or Territory ; all letters and petitions addressed to the members of Congress, during the sitting thereof, pass free ; with a uniform postage of five cents on all letters.

Which motion did not prevail.

The question then recurring on the motion by Mr. Russell,

It was decided in the affirmative.

On motion by Mr. Prather,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of selling or disposing of the Central Canal, and abolishing the office of Superintendent.

On motion by Mr. Dougherty of Elkhart,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of repealing all laws requiring property levied upon by execution to be appraised.

Mr. Brown of Randolph offered the following resolution :

Resolved, That it is the sense of this House that the granting of divorces, by Legislative enactment, is impolitic and inexpedient, and will not be encouraged by this House during the present session of the General Assembly.

Mr. Wilson moved to lay the resolution on the table.

The ayes and noes being demanded by Messrs. Carnahan of Posey and May,

Those who voted in the affirmative are,

Messrs. Carnahan of P., Cole, Delavan, Dougherty of E., Great-house, Holcomb, Huey, Hunter, Miller of M., Miller of O., Morrison, Niblack, Prather, Sherrod, Stone, Weir, Wilson, and Withers—18.

Those who voted in the negative are,

Messrs. Allen, Alley, Athon, Barker, Beard, Bird, Bowen, Brown of R., Brown of S., Burnet, Butler, Byers, Caldwell, Campbell, Carnahan of F., Cleaver, Conaway, Conner, Cotton, Cravens, Defrees, Dodd, Dougherty of B., Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Goodwin, Graves, Harney, Hart, Hicks, Hillis, Humphreys, Johnson, Keeney, Knowlton, Lane, Lank, Leviston, May, Menaugh, Mickle, Millikan, Murray, O'Haver, Patterson, O'Neal, Reed, Richardson, Robinson of D., Robson, Ross, Rush, Russell, Shelby, Shepard, Spencer, Stewart, Stoops, Summers, Thom, Thomas, Tinbrook, Warriner, Watkins, Weaver, Wells, Whinery, Wright, Yocum, and Mr. Speaker—76.

So the resolution was not laid on the table.

Mr. Wilson then moved to refer the resolution to the committee on the judiciary;

Which motion did not prevail.

The question then recurring on the adoption of the resolution, It was decided in the affirmative.

Mr. Wilson offered the following preamble and resolution :

WHEREAS, The desk now in use by the Clerks of this House is old and in a dilapidated condition, so much so, that the papers cannot be safely kept therein ; therefore,

Resolved, That the Principal Clerk be authorized to have a suitable desk made for the use of the Clerks of this House, say, two feet longer and three or four inches larger in width than the one now used, with good and sufficient locks and keys.

Which resolution was adopted.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

By Mr. Salter,

No. 79. A joint resolution on the subject of abolishing the use of the lash in the United States Navy;

By Mr. Cravens,

No. 80. A joint resolution relating to the bounty land and three months extra pay of deceased non-commissioned officers and privates engaged in the war against Mexico;

By Mr. Morrison,

No. 81. A joint resolution in relation to the reduction of mileage and *per diem* allowance of members of Congress ;

Which were severally read a first time and ordered to a second reading.

By Mr. O'Neal—

No. 82. A joint resolution against the passage of laws authorizing slavery or involuntary servitude, except for crimes, in the organization of the territory recently acquired from Mexico ;

By Mr. Delavan—

No. 83. A joint resolution in relation to a mail route from Stilesville to Gosport, in the State of Indiana ;

By Mr. Butler—

No. 84. A joint resolution in relation to slavery in the District of Columbia ;

By Mr. Carnahan of Posey—

No. 85. A joint resolution in relation to the officers and soldiers in the war of 1812 ;

Which were severally read a first time, and ordered to a second reading.

By Mr. Butler—

No. 86. A joint resolution in relation to the admission of the States into the Union ;

By Mr. Salter—

No. 87. A joint resolution on the subject of constructive mileage of members of Congress ;

By Mr. Prather—

No. 88. A joint resolution on the subject of a railroad from St. Louis to San Francisco ;

Which were severally read a first time, and passed to a second reading.

On motion by Mr. Brown of Randolph,

The House adjourned till 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

The Speaker laid before the House the following communication from the State Librarian :

INDIANAPOLIS, Dec. 10, 1849.

HON. G. W. CARR,

Speaker of the House of Representatives :

Sir: You are requested to lay the accompanying communication before the honorable House of Representatives.

I am, very respectfully,

Your obedient servant,

JOHN B. DILLON.

STATE LIBRARY, }
Indianapolis, Dec. 10, 1849. }

The undersigned respectfully reports to the Legislature of Indiana, that on the 20th of September, 1849, he addressed a communication to Joseph Willis and Hugh J. Bradley, Architects and Builders, of Indianapolis, requesting them to make a thorough examination of the State House, and to note those defective parts of the edifice, which, in order to preserve it from premature decay, ought to be repaired. At the same time, they were required to prepare for the use of the undersigned, a particular estimate of the cost of such repairs. The following communication has been received from Messrs. Willis and Bradley.

JOHN B. DILLON.

INDIANAPOLIS, Nov. 26, 1849.

MR. J. B. DILLON—

Sir:—In compliance with your request, the undersigned have made an examination of the State House, for the purpose of ascertaining what repairs are necessary to prevent its going to premature decay, and submit the following report :

We have found that the stone surrounding the building, being of a soft, perishable quality, is going to decay very fast; and the coping covering the walls between the antas of the sides of the building, being in small pieces, the water penetrates the joints, and keeps the foundations of the building wet—materially injuring said foundations. The said stone having been placed there since the building was erected, (and that in not a very workmanlike manner,) can be easily removed without any injury to the building. The undersigned would therefore recommend that all of said stone be removed, and replaced with a durable limestone, either from the quarries of Vernon or Putnamville; and, in replacing it, that the

coping between each of the antas be in one piece of sufficient size to cover the entire space, and also to project over the face of the ashler at least one inch and a half. The estimated cost of replacing all of said stone with durable limestone, and in a proper manner, is three thousand five hundred dollars.

The cornice around said building having been made of rough casting, and being exposed to the weather, has in many cases fallen off—making the building look in a scaly, dilapidated state.—We would therefore recommend that there be a new cornice put on, of good seasoned pine lumber, and well painted and sanded in imitation of stone.

The greatest difficulty that the undersigned have met with in said examination, is the roof; it having been covered with tin, and the roof being so large, and the expansion and contraction so great, that in many places the joints and lockings have broken loose, causing it to leak in many places. We noticed that it had been repaired in several places; but still there were several places that were very bad, and the difficulty is that it will be constantly breaking in new places. Under the present circumstances we would recommend that said tin be taken off, and the roof be covered with a composition of paper, tar, &c.—or that said composition be put on the tin. Your committee would have recommended a slate roof, if the timbers were strong enough to support it; but we are satisfied that the timbers are not sufficiently strong to support a slate roof.

The estimated cost of repairing the building, as above recommended, with a new cornice, composition roof, repairing the plastering, rough casting, painting, &c., is as follows:

For stone and stone work, - - - - -	\$3,500 00
Lumber, nails, carpenters' work, &c., - - - - -	1,500 00
Repairing, rough casting, and plastering, - - - - -	300 00
For composition roof, - - - - -	1,200 00
Paints, oils, painting, &c., - - - - -	300 00
Contingencies, - - - - -	500 00
	<hr/>
	\$7,300 00

All of which is respectfully submitted:

J. WILLIS,
H. J. BRADLEY.

On motion by Mr. Carnahan of Fountain,

The communication was referred to the committee on public buildings.

BILLS, &C., INTRODUCED.

By Mr. Spencer—

No. 89. A bill incorporating the Grand Royal Arch Chapter of the State of Indiana;

By Mr. Thom—

No. 90. A bill to amend an act entitled “an act to re-charter the Hanover College;”

By Mr. Lane—

No. 91. A bill to incorporate the Danville and Rockville Plank Road Company;

By Mr. Whinery—

No. 92. A bill for the relief of borrowers of the school and other funds, from county officers;

By Mr. Withers—

No. 93. A bill more effectually to protect the property of married women;

By Mr. May—

No. 94. A bill to reduce the fees and emoluments of the auditor and treasurer of Steuben county;

By Mr. Goodwin—

No. 95. A bill relative to delinquent taxes;

By Mr. Murray—

No. 96. A bill to amend the charter of the Logansport and Rochester Michigan Road Company;

By Mr. Harney,

No. 97. A bill providing for the taxation of all lands that may have been entered since the 26th of January, 1847, or that may hereafter be sold;

Which were each read a first time and passed to a second reading.

On motion by Mr. Brown of Shelby,

The House took up,

No. 2. A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations;

On motion by Mr. Mickle,

The bill was committed to a committee of the whole House, and made the special order of the day for Wednesday next, at 2 o'clock, P. M.

BILLS &C., INTRODUCED.

By Mr. Watkins,

No. 98. A bill to enable the owners of mill property the better to protect and improve the same.

By Mr. Bird,

No. 99. A bill fixing the salaries of the Auditor and Treasurer of Allen county.

By Mr. Robinson of Laporte,

No. 100. A bill more effectually to prevent the withdrawal from this State and its investment in other States, of the active capital of the citizens of Indiana, by further regulating the interest on money.

Which were each read a first time and passed to a second reading.

On motion by Mr. Elder,

The rules were suspended, and the following bill taken up :

No. 10. A bill to repeal the law rendering negroes and mulattoes incompetent to testify in courts of justice where the State or white persons may be parties ;

On motion by Mr. Elder,

The bill was referred to a committee of three, consisting of Messrs. Elder, Beard, and Wilson.

ORDERS OF THE DAY.

House Bills on their Third Reading.

No. 28. A bill to revive an act "to compel speculators to pay a road tax in Randolph county equal to that paid by actual settlers," approved January 13, 1845 ;

No. 29. A bill to extend the time of holding the probate court of Hendricks county ;

Which were each read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 35. A bill repealing an act relating to the jurisdiction of justices of the peace, so far as relates to Montgomery county ;

No. 36. A bill to authorize the draining of the Peru Prairie in Miami county ;

No. 39. A bill for the relief of James P. and Reuben N. Tyler ;
Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 40. A bill to repeal all laws of this State authorizing counties to subscribe for any corporation stock, so far as relates to the county of Morgan, and declaring the meaning of certain acts therein named ;

By unanimous consent the following amendments was adopted, to-wit :

Sec. 3. This act shall be a public act, and shall be in force from and after its passage.

The bill was then read a third time and passed.

Ordered. That the Clerk inform the Senate thereof.

No. 41. A bill to change the time of holding the October term of the probate court of Martin county ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

SENATE BILLS ON SECOND READING.

No. 12. A bill to legalize the proceedings of the Trustees of the corporation of the town of Vevay ;

Was read a second time and ordered to a third reading.

No. 13. A bill for the relief of certain turnpike companies therein named ;

Was read a second time ; when,

On motion by Mr. Butler,

The rules was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

HOUSE BILLS.

No. 47. A joint resolution on the subject of a rail road from some point on the Mississippi to the Pacific ;

Was read a second time, and,

On motion by Mr. Edwards,

Referred to the committee on canals and internal improvements.

On motion by Mr. Athon,

The vote on the passage of

No. 39. An act for the relief of James P. and Reuben N. Tyler ;

Was re-considered, when,

On motion by Mr. Wilson,

It was referred to the committee of ways and means, to be made a part of the specific appropriation bill for 1849.

No. 48. A joint resolution in relation to the right of way for rail roads through the State of Illinois ;

Was read a second time, when,

Mr. Caldwell moved to indefinitely postpone ;

The ayes and noes being demanded by Messrs. Edwards and Knowlton :

Those who voted in the affirmative are,

Messrs. Alley, Athon, Barker, Beard, Bird, Bowen, Brown of Shelby, Butler, Byers, Caldwell, Carnahan of Posey, Chandler Cleaver, Conaway, Connor, Cotton, Cravens, Dodd, Dougherty of Boone, Elder, Ellis, Farnesly, Gentry, Goodwin, Greathouse, Hart, Harvey, Hicks, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Leviston, May, Menaugh, Mickle, Miller of Marshall and Fulton, Millikan, O'Haver, O'Neal, Patterson, Richardson, Robinson of Deatur, Ross, Salter, Shelby, Sherrod, Spencer, Stoops, Thom, Thomas, Tinbrook, Warriner, Weaver, Wells, Wilson, Withers, Yocum, and Mr. Speaker—62.

Those who voted in the negative are,

Messrs. Allen, Burnett, Campbell, Cole, Defrees, Delavan, Edwards, Essex, Gessie, Graves, Harney, Knowlton, Lane, Lank, Morrison, Murray, Niblack, Orr, Prather, Reed, Robinson of Laporte, Robson, Rush, Russell, Shepard, Stewart, Stone, Summers, Weir, Whinery, and Wright—31.

So the joint resolution was indefinitely postponed.

No. 50. A bill to reduce the fees of clerks of probate courts ;

Was read a second time.

Mr. Mickle moved to amend by excepting from the provisions of the bill the county of Adams ;

Which motion prevailed.

On motion by Mr. Shepard,

The bill was then referred to the committee on the judiciary, with instructions to limit its provisions to the county of Knox.

No. 51. A bill to restrict the Grand Jury in Franklin county, to a limited time in their sessions ;

Was read a second time, when,

On motion by Mr. Ross,

It was referred to a select committee consisting of

Messrs. Ross, Cleaver, and Chandler.

No. 52. A bill requiring the Grand Jury in the county of Hancock, to meet on the third day of the court term ;

Was read a second time, and ordered to be engrossed.

No. 53. A bill to change the name of Eliza Jane Bristo, to Eliza Jane Swisher ;

Was read a second time, when,

Mr. Lane offered the following amendment, to-wit :

“Insert in the proper place, “also the name of Nancy Brown of Putnam county, to the name of Nancy O’Neal.”

Which amendment was adopted, and the bill ordered to be engrossed.

No. 54. A bill to amend an act entitled, “An act requiring the supervisors of roads in Sullivan county, to make report at the March term in each year, and for other purposes,” approved January 26th, 1847,

Was read a second time and ordered to be engrossed.

No. 55. A bill to provide for the payment of jury fees in civil cases, in the Allen Circuit Court ;

Was read a second time, when,

Mr. Keeny offered the following amendment :

“*Provided*, Nothing in this act shall be so construed, as to extend to cases taken to said county of Allen, on change of venue.”

Which amendment was adopted, and the bill ordered to be engrossed.

No. 56. A bill to change the name of Mary Jane, and Margaret Ann Manning of Vanderburgh county ;

No. 57. A bill to amend an act entitled, "An act to regulate the mode of doing county business in the county of Putnam," approved, January 15th, 1849 ;

Were each read a second time, when,

On motion,

The rules were suspended, the bills read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 58. A bill for the relief of delinquent tax payers ;

Was read a second time, when,

On motion by Mr. Wilson,

It was referred to the committee of ways and means.

No. 59. A bill authorizing the distribution of an additional number of copies of the Revised Statutes, to the county of Miami ;

Was read a second time, when,

Mr. Mickle moved to amend by inserting in the proper place, "twelve copies to the county of Adams."

Mr. Prather then moved to lay the bill and pending amendment, on the table.

Which motion prevailed.

No. 60. A bill to authorize the voters of Daviess county, to vote in Washington township in said county ;

Was read a second time and ordered to be engrossed.

No. 61. A bill repealing an act therein named ;

Was read a second time, when

On motion by Mr. Withers,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 62. A bill to prevent the forfeiture of school lands ;

Was read a second time, and

On motion by Mr. Hicks,

Referred to the committee on education.

No. 63. A bill in relation to Lamasco City ;

Was read a second time, and ordered to be engrossed.

No. 64. A bill in relation to extra taxes in Lamasco City ;

Was read a second time and ordered to be engrossed.

No. 65. A joint resolution authorizing the reports from the State Bank and Commissioners of the Sinking Fund, to be made on the second week of the session ;

Was read a second time and ordered to be engrossed.

No. 67. A joint resolution in relation to the Soldiers in the war with Great Britain ;

Was read a second time, and,

On motion by Mr. Carnahan of Posey,

Referred to the committee on Military Affairs.

No. 68. A joint resolution in reference to the reduction of the price of lands in the Miami National Reservation ;

Was read a second time, when,

On motion by Mr. Murray,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 69. A bill to authorize the Governor, Auditor, and Treasurer of State, to borrow money sufficient to pay the interest due on the funded debt, on the first of January, 1850 ;

Was read a second time, and ;

On motion by Mr. Spencer,

Referred to the committee on ways and means.

No. 70. A bill to extend the time of paying taxes for the year 1849, in the county of Randolph ;

Was read a second time and ordered to be engrossed.

No. 71. A bill to repeal the proviso of an act therein named ;

Was read a second time, and,

On motion by Mr. Murray,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 72. A bill to prohibit the stretching of seines across Laughery creek, in the State of Indiana ;

Was read a second time, and,

On motion by Mr. Wilson,

Referred to a select committee consisting of

Messrs. Spencer, Wilson, and Holcomb.

No. 73. A bill to amend an act entitled, "An act to incorporate the Lafayette Insurance Company," approved, February 8, 1836 ;

Was read a second time, and,

On motion by Mr. O'Neal,

Referred to the committee on corporations.

No. 74. A bill to repeal an act concerning free negroes and mulattoes, servants and slaves, approved February 10, 1831 ;

Was read a second time, when,

Mr. Niblack moved to indefinitely postpone said bill ;

The ayes and noes being demanded by Messrs. Butler and Beard :

Those who voted in the affirmative are,

Messrs. Allen, Alley, Athon, Barker, Bowen, Brown of Shelby, Burnet, Byers, Caldwell, Carnahan of Posey, Cleaver, Conaway, Connor, Cotton, Cravens, Dougherty of Boone, Edwards, Ellis, Essex, Farnesly, Gentry, Gessie, Goodwin, Greathouse, Harney, Hart, Hicks, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Lan-

diss, Lane, Menaugh, Miller of Owen, Morrison, Niblack, O'Haver, O'Neal, Patterson, Prather, Reed, Richardson, Ross, Rush, Russell, Salter, Sherrod, Shepard, Spencer, Thomas, Tinbrook, Weaver, Wells, Weir, Wilson, Withers, Wright, Yocum, and Mr. Speaker—62.

Those who voted in the negative are,

Messrs. Beard, Brown of Randolph, Butler, Campbell, Carnahan of Fountain, Chandler. Cole, Defrees, Dodd, Dougherty of Elkhart, Elder, Graves, Harvey, Keeney, Knowlton, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Millikan, Murray, Orr, Robinson of Decatur, Robinson of Laporte, Shelby, Stewart, Stone, Stoops, Summers, Thom, Warriner, and Whinery—33.

So said bill was indefinitely postponed.

No. 75. A bill to amend an act entitled "an act to authorize supervisors to work a certain road in Ohio county ;

Was read a second time, and,

On motion by Mr. Spencer,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 49. A bill extending the jurisdiction of Notaries Public ;

Was read a second time, and,

On motion by Mr. Niblack,

Referred to the committee on the judiciary ;

With the following instructions :

That the judiciary committee to whom said bill is referred be instructed to strike out so much of the words in the second section of said bill, as requires the seal of a Notary Public to contain any particular set of words.

No. 76. A bill to legalize a certain act therein named ;

Was read a second time, and,

On motion by Mr. Carnahan of Posey,

Was referred to a select committee consisting of

Messrs. Carnahan of Posey, Cravens, and Goodwin.

On motion by Mr. Weir,

Messrs. O'Haver and Menaugh were added to the select committee to whom was referred House bill No. 14.

On motion,

The following message from the Senate by Mr. Emerson their Secretary, was taken up, to-wit :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 46. An act to extend the terms of probate courts of certain counties ;

No. 20. An act to protect from waste certain lands therein mentioned ;

No. 26. An act to locate a State road in the counties of Fountain, Montgomery, and Putnam ;

No. 35. An act relating to the docket of Bela Hearrick, a justice of the peace, in Posey township, Switzerland county ;

In which the concurrence of the House is respectfully requested.

No. 16. An act to extend the terms of probate courts of certain counties ;

Was read a first time and ordered to a second reading.

No. 20. An act to protect from waste certain lands therein mentioned ;

Was read a first time, when,

On motion by Mr. Hart,

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 26. An act to locate a State road in the counties of Fountain, Montgomery, and Putnam ;

Was read a first time and ordered to a second reading.

No. 35. An act relating to the docket of Bela Hearrick, a justice of the peace, in Posey township, Switzerland county ;

Was read a first time, and ordered to a second reading.

On motion by Mr. Lane,

The Governor's message was made the special order of the day to-morrow at 10 o'clock, A. M.

On motion by Mr. Cole,

The House adjourned.

TUESDAY MORNING, 9 O'CLOCK DECEMBER 11, 1849.

House met, pursuant to adjournment.

The journal of the preceding day was read.

Mr. Campbell not being present yesterday at the taking of the ayes and noes, on the indefinite postponement of bill No. 72, asked leave to record his vote in the negative ;

Which was granted.

Mr. Landiss asked leave to change his vote from the negative to the affirmative, on the postponement of bill No. 73, on yesterday;

Which was granted.

On leave granted,

Mr. Shepard recorded his vote in the affirmative, on the same question.

On leave granted,

Mr. Patterson changed his vote from the affirmative to the negative on the question of laying upon the table Mr. Brown of Randolph's resolution, on the subject granting divorces by the Legislature, on yesterday.

On motion by Mr. Carnahan of F.,

The journal was so changed as show the votes cast for certain individuals for President Judge of the 5th judicial circuit, as scattering.

The House resolved itself into the committee of the whole on the Governor's message, Mr. Mickle in the Chair.

After remaining in session some time, the committee arose, reported progress, and asked leave to sit again.

PETITIONS &C., PRESENTED.

By Mr. Millikan,

The Temperance Memorial of citizens of Laporte county ;

Which,

On motion,

Was referred to the committee of one from each judicial circuit, on the subject of temperance memorials.

By Mr. Greathouse,

The petition of John Mitchell, and others, to increase the compensation of the Judge of the Probate Court of Vanderburgh county ;

Which,

On motion,

Was referred to a select committee consisting of

Messrs. Greathouse, Carnahan of Posey, and Dodd.

By Mr. Wells,

The petition of citizens of Jackson county, praying for a change in the time of holding the Jackson circuit court ;

Which,

On motion,

Was referred to the select committee on the same subject, consisting of

Messrs. Menaugh, Wells, Sherrod, Wilson, Farnesly, Athon, and Morrison.

By Mr. Weaver,

The petition of citizens of Congressional township No. 26 north, range 3 west, lying in the counties of Carroll and White, relative to the sale of the school section in said county ;

Which,

On motion,
Was referred to the committee on education.

By Mr. Wells,
The petition of citizens of Jackson county, relative to soldiers of the late war with Great Britain ;

Which,

On motion,
Was referred to the committee on military affairs.

By Mr. Huey,
The temperance memorial of citizens of Jay county ;
Which,

On motion,
Was referred to the committee of one from each judicial circuit on the subject of temperance memorials.

By Mr. Weaver,
The petition of citizens of Carroll and White counties, praying for a charter to build a bridge across the Tippecanoe river ;

Which,

On motion,
Was referred to a select committee, consisting of
Messrs. Weaver, O'Neal, and Gentry.

REPORTS FROM COMMITTEES.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House, No. 42, entitled "An act to increase the fees of witnesses by adding mileage," have had the same under consideration, and instructed me to report that they deem any action on that subject inexpedient ; they therefore recommend the indefinite postponement of said bill, and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Brown of Shelby, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred a resolution of the House instructing them to inquire into the expediency of consolidating all laws now in force in this State relative to Common Schools into one volume, have had that subject under consideration, and directed me to report the same back to the House, and

recommend that said resolution be indefinitely postponed, and ask to be discharged from the further consideration of said resolution.

The question being on concurring in the report of the committee, It was decided in the negative.

On motion by Mr. Prather,

The resolution was recommitted to the committee on education.

Mr. Graves, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred a resolution of the House instructing them "to inquire into the expediency of so amending the several statutes of this State in cases of replevin that the replevin defendant shall have the same right to retain the possession of the property sought to be replevied that the replevin plaintiff has by giving the same security that is now required of the replevin plaintiff, and report by bill or otherwise," respectfully report that they have given the same mature consideration, and for many reasons which might be specified in a lengthy and detailed report, they deem legislation on that subject inexpedient, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred a resolution of the House, instructing said committee "to inquire into the expediency and legality of authorizing the distribution of the three per cent. fund arising from the sales of lands by the General Government, in the Miami Reservation, to the counties composing said reservation for road purposes," have instructed me to report that this General Assembly has the *authority* to distribute said fund to said counties, for road purposes, by virtue of a proposition contained in an act of Congress, entitled "An act to enable the people of the Indiana Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States," which proposition was acceded to by the people of said territory, in convention met at Corydon, on the 10th of June 1816.

The committee have also instructed me to express the opinion that it would be inexpedient to distribute said fund to said counties, as the policy of former Legislatures in making an equal distribution of said fund to each of the organized and unorganized coun-

ties of the State, as may accrue, for the improvement of roads in said counties, ought to be adhered to as fair and equitable.

Which report was concurred in.

Mr. Chandler, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred the petition of the Board of Commissioners of the county of Warren, have instructed me to report the following bill in pursuance of said petition, and recommend its passage :

No. 101. A bill to change the time of holding the board of equalization in the county of Warren ;

Which was read a first time and passed to a second reading.

Mr. Chandler, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred the petition of the Board of Commissioners of the county of Warren, have instructed me to report the following bill in pursuance of said petition, and recommend its passage :

No. 102. A bill to appropriate part of the school funds in the county of Warren ;

Which was read a first time and passed to a second reading.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill of the House, No. 73, entitled an act to amend an act, entitled an act to incorporate the Lafayette Insurance Company, approved February 8, 1836, have had the same under consideration and have directed me to report the same back to the House, without amendment, and respectfully recommend its passage.

No. 73. A bill to amend an act, entitled an act to incorporate the Lafayette Insurance Company, approved February 8, 1836.

On motion by Mr. Patterson,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill of the House, No. 34, entitled an act to incorporate the White County Monticello Bridge Company, have had the same under consideration, have made one amendment thereto, and have directed me to report the same back to the House, and when said amendment is adopted, respectfully recommend the passage of the bill.

Amend by inserting as an additional section, the following :

SEC. 17. That the Directors of said Company shall be individually liable, in their private property, for any debt of said corporation, by them created, over and above the amount of the solvent stock of said company.

Which amendment was concurred in by the House.

On motion by Mr. Salter,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Brown of Randolph, from the committee on corporations, made the following report .

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House, No. 24, to incorporate the American Live Stock Insurance Company, have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage, with the following amendments :

Amend as follows :

The President and Directors of said company shall, in their individual capacity, be liable for all the debts and contracts of the corporation, in the same manner that partners are now in law, liable for partnership debts and contracts ; *Provided, however*, Such individual liability shall not be enforced until the assets of the company be first proceeded against and exhausted.

SEC. —. Nothing in the foregoing act shall be so construed as to confer upon said corporation, any Banking powers or privileges. And the Legislature hereby reserves the right to alter or amend the charter of this company, whenever it shall deem the same expedient.

Which amendment was concurred in.

On motion by Mr. Shepherd,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill of the House, No. 30, entitled an act to amend an act, entitled an act to incorporate the Harrison, New Trenton, Rochester, and Brookville Turnpike Company, approved January 13, 1849, have had the same under consideration, and have directed me to report the same back to the House, without amendment, and respectfully recommend its passage.

Which was ordered to be engrossed.

On motion by Mr. Ross,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Spencer, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred House bill, No. 72, in relation to streaching scins across Laughery creek, in the State of Indiana, have had the same under consideration, and have instructed me to report the same back with the following amendments, and recommend its passage :

Viz: after the word "creek," in the title to said bill, insert the words, "other streams."

Also, after the word "State," in the first section, insert the words, "or any of the streams or water courses, in the counties of Harrison, and Clark, in the State aforesaid."

Also, strike out all of section 2, after the word "indictment," and in its place, insert the following :

In the circuit court of the county in which such stream or water course is situate, and in case any such stream or water course be the dividing line between two counties then in the circuit court of the counties adjoining such stream or water course.

Also, strike out the words "in either," in section 3.

Which amendments were concurred in.

The bill as amended, was ordered to be engrossed.

On motion by Mr. Spencer,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Spencer,
The title of the bill was amended by adding "and other streams."
Mr. Gessie, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to which was referred the petitions of sundry persons, in relation to traveling merchants and pedlars, have had the same under consideration and have directed me to report the accompanying bill and recommend its passage.

No. 103. A bill regulating the license of traveling merchants and pedlars ;

Which was read a first time and passed to a second reading.

Mr. Murray, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition of the citizens of Howard and Miami counties praying for the location of a State road in said counties, have had the same under consideration, and beg leave to report the accompanying bill and recommend its passage :

No. 104. A bill to locate a State road in the counties of Howard and Miami ;

Was read a first time and passed to a second reading.

Mr. Robson, from a select committee, made the following report :

MR. SPEAKER :

The select to whom was referred the petition of sundry citizens of Cumberland have had the same under consideration and instructed me to report the following bill :

No. 105. A bill to vacate the alleys of the town of Cumberland ;

Which was read a first time and passed to a second reading.

Mr. Dodd, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Grant county praying for an additional tax on real estate for road purposes, have instructed me to report the following bill, and recommend its passage :

No. 106. A bill for the better improvement of roads in the county of Grant ;

Which was read a first time, and passed to a second reading.

Mr. Weir, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 14, entitled "an act to incorporate the Terre Haute and Evansville Railroad company," have instructed me to report the same back with the following amendment, and when so amended recommend its passage :

Strike out all after the enacting clause and insert the following :

That under and subject to the provisions of an act entitled "an act to incorporate a company to construct a Railroad from Evansville, on the Ohio river, to connect with the Ohio and Mississippi Railroad, at or near Olney, in the State of Illinois, via Princeton, Gibson county, Indiana, and Mt. Carmel, Illinois;" approved 2d January, 1849, so far as the same does not contravene the provisions of this act, the company or corporation created and organized under and by virtue of said act, are hereby authorized and empowered to survey, locate, extend, construct, continue, maintain, and use the Railroad in said act mentioned, (with all proper and convenient depots, turns out, sidelings, tanks, stations, and other appendages from Princeton, in Gibson county, by the way of Vincennes, in Knox county, and the town of Sullivan, in Sullivan county, to Terre Haute, in Vigo county, so as to form a continuous line of Railroad from the city of Evansville to Terre Haute.

Sec. 2. The capital stock of said company may be increased from time to time at the discretion of the Directors of said company, in the manner prescribed by the act to which this is an amendment, to any amount that may be necessary to the proper construction, maintainance, and use of said road, with the depots and other appendages thereof

Sec. 3. Where stock in said company has been or may be taken or sub-scribed in the name or on behalf of any city, town, or county, every person, company, or firm who has paid or who may hereafter pay taxes assessed and collected for the purpose of paying such stock, or interest upon bonds issued or money borrowed for the purpose of paying such stock, may become a stockholder in said company in the manner hereafter provided.

Sec. 4. Hereafter all taxes assessed for any of the purposes specified in the last preceding section of this act, shall be assessed separately and extended and set down on the tax roll and duplicate of the town, county, or city, (as the case may be) in a column separate from the other revenue assessed or extended on such tax, roll, or duplicate, and the same shall be collected and paid in money. And upon the payment of any such taxes, it shall be duty of the officer receiving the same to give to the person, company, or firm paying the same, a separate receipt for the taxes so paid, stating in

such receipt in words at full length the amount so paid, by whom it was paid, and the purpose for which the same was assessed and collected.

Sec. 5. All receipts given for taxes in pursuance of the last preceding section of this act, shall be transferable by endorsement or delivery in like manner as promissory notes and bills of exchange are transferable, and the endorsers or holders thereof, when so transferred, shall be the absolute owners thereof.

Sec. 6. Any person or persons holding one or more tax receipts of the kind above in this act mentioned amounting to twelve and one half dollars or more, may at any time present and deliver the same to the proper officer of the company, and receive in lieu thereof a certificate or certificates of stock, for the amount of such receipt or receipts, and from and after the issuing of such stock certificates, dividends shall be paid on the stock secured thereby as dividends are declared and paid on other stock in said company: *Provided*, that all such certificates, if not amounting to one or more shares of stock of fifty dollars each, shall be for twelve and one-half, twenty-five, or thirty-seven and one-half dollars and not for any sum intermediate between any two of the three last mentioned sums.

Sec. 7. All stock acquired by paying taxes and receiving certificates therefor as above in this act provided, shall be upon the same footing and subject to the same conditions, rules, liens, and liabilities as other stock in said company: *Provided*, that persons holding the same, shall be entitled to one vote only for each share of fifty dollars of such stock, but a certificate for less than fifty dollars shall not entitle the holder thereof to vote, nor shall any person be a Director of said company unless he is owner of at least two shares of fifty dollars each, of the stock of said company.

Sec. 8. In all cases where a city or town has taken or may hereafter take or subscribe or be entitled to stock in said company, in pursuance of the act of which this is an amendment, the corporate authorities of any such city or town may procure the money to pay such stock by taxation or by borrowing money, and may issue bonds for that purpose, as provided for in the act to which this is an amendment, and pledge, hypothecate, or sell the said bonds on such terms and conditions as the said corporate authorities may deem proper, and all such bonds may be made to bear any interest not exceeding seven per centum per annum.

Sec. 9. At the elections of Directors appointed by the President and Directors of said company, to be held on the first Monday in January 1859, and at every subsequent election there shall be elected not less than nine nor more than thirteen Directors of said company, and the number to be elected shall be determined by the by-laws of the company.

Sec. 10. All the rights, privileges, powers, and franchises granted to said Company by the act to which this is an amendment, shall be and are hereby declared to apply and appertain to that part of said Railroad, with all turns-out, sidelings, depots, stations, and

other appendages thereto to, to be constructed between Princeton and Terre Haute, to all intents and purposes whatever, in like manner as the same apply and appertain to that part to be constructed between Evansville and Princeton.

Sec. 11. The corporate name and style of the said corporation is hereby changed, and henceforth said corporation shall be called and known as the "Evansville, Vincennes, and Terre Haute Railroad Company," by and in which name and style the said corporation shall hereafter contract and be contracted with, sue and be sued, plead and be impleaded, and do and transact all acts and business of all kinds contemplated by this act and the act of which this is amendatory, and in and by that name, the said corporation shall be held liable for all contracts and engagements, and all acts heretofore done, made, or entered into, and shall in like manner in and by that name, enforce the performance of all contracts and engagements entered into with it, and the payment of all subscriptions of stock heretofore made in the books of said company, and all property, rights, privileges, and interests heretofore acquired by said corporation, shall hereafter be held, possessed, and enjoyed by said corporation, by and in the name of the "Evansville, Vincennes, and Terre Haute Railroad Company," in the same manner as if the name of said corporation had not been changed.

Sec. 12. Said corporation may take and receive conveyances of real estate, in payment of stock, at such prices as may be agreed on between the Directors and the owners of such real estate; and all real estate so taken by said corporation, shall be sold and disposed of in the manner and within the time prescribed by the act to which this is an amendment.

Sec. 13. It shall be the duty of the Directors of said Company to keep open books for the subscription of stock in the counties of Sullivan and Vigo, until sufficient stock is subscribed in said counties to construct said road in said counties. And whenever the sum of one hundred thousand dollars in solvent stock is subscribed in said counties, it shall be the duty of the Directors of said corporation to put such portion of said Road as that amount of stock will be sufficient to construct, under contract for construction.

Sec. 14. It shall not be lawful for the said corporation to collect and apply any portion of the stock subscribed in the counties of Sullivan and Vigo to the construction of the road south of said counties, unless by the consent of the holders of said stock respectively.

Sec. 15. This act shall be deemed a public act, and as such shall be taken notice of by all courts and persons; and it shall be in force and take effect from and after its passage.

Sec. 16. In constructing said Railroad across any stream of water, the said corporation may erect in and across any such stream all necessary piers, abutments, bridges, and other structures: *Provided*, That the said piers, abutments, or other structures, shall not be so constructed as to destroy the usefulness of any navigable stream, for the purposes of navigation.

The question being on concurring in the amendment of the committee,

It was decided in the affirmative.

On motion by Mr. Weir,

The bill was referred to the committee on canals and internal improvements.

Mr. Graves, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Henry Berst and others, of Kosciusko county, have had the same under consideration, and have instructed me to report the following bill and recommend its passage :

No. 107. A bill for the relief of Henry Berst and Titus G. Berst.

Which was read a first time and passed to a second reading.

Mr. Graves, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of William Sloan and Richard Sloan, of Kosciusko county, have had the same under consideration, and have instructed me to report the following bill and recommend its passage :

No. 108. A bill for the relief of William Sloan and Richard Sloan.

Which was read a first time and passed to a second reading.

Mr. Hillis moved that the House adjourn ;

Which motion did not prevail.

RESOLUTIONS INTRODUCED.

On motion by Mr. Allen,

Resolved, That the use of this Hall be granted to the Higgins Family this evening, to hold their farewell concert.

On motion by Mr. Lank,

Resolved, That the committee on the judiciary, when, according to a resolution of this House heretofore adopted, they inquire into the expediency of paying jurors in probate courts the same as is allowed jurors in circuit courts, that they also inquire whether all or any other expense incident to the settlement of estates in probate courts, ought not to be lessened.

Mr. Spencer offered the following preamble and resolution :

WHEREAS, Doubts are entertained in relation to the constitutionality and validity of the law in relation to free schools, passed at the last session of the General Assembly of the State of Indiana; Therefore,

Be it resolved, That the committee on the judiciary be instructed to inquire into the constitutionality of said law, and whether any further action is necessary by this House, to make the same a valid law.

Which were adopted.

On motion by Mr. Warriner,

Resolved, That the Auditor of State furnish this House with a full and complete list of all the lands selected by the State of Indiana, under the acts of Congress for the completion of the Wabash and Erie Canal west of the mouth of the Tippecanoe River, except such as are situated in the Vincennes Land District, and also a full and complete list of such said lands as have been re-appraised under the provisions of the 24th section of an act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, together with the prices at which the same have been re-appraised.

On motion by Mr. Robson,

Resolved, That the use and privilege of the State Library be, and they are hereby extended, to the Architect of the Insane Hospital and Asylum for the Deaf and Dumb.

On motion by Mr. Alley,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of abolishing the present probate system, and establishing in lieu thereof courts of common pleas in the several counties in this State, with probate jurisdiction, and to report by bill or otherwise.

Mr. Butler offered the following resolution :

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of requiring the Auditor of State to give in his annual report, a specific and detailed account of the items of expenditure of the State, and to report in separate parts, that which relates to the receipts and expenditures of the state government, and that which relates to the receipts and expenditures of the Wabash and Erie Canal, and to report thereon by bill or otherwise.

Mr. Chandler moved to strike out "judiciary," and insert "ways and means."

Which motion prevailed.

On motion by Mr. Delavan,

The House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

On motion by Mr. Knowlton,

Resolved, That the Door Keeper be instructed to request the State Printer to report to this House when he will furnish the Governor's Message, printed in the English and German Languages.

On motion by Mr. Bowen,

Resolved, That the judiciary committee be instructed to inquire into the expediency of passing a law prohibiting Boards doing county business from subscribing stock in works of internal improvement, and report by bill or otherwise.

Mr. Niblack offered the following resolution :

Resolved, That the Door Keeper of this House be authorized to contract for the printing of one hundred additional copies of the rules of this House, for the use of the members thereof.

Mr. Chandler moved to strike out "one hundred," and insert "five hundred."

Which motion did not prevail.

The resolution was then adopted.

On motion by Mr. Thomas,

Resolved, That the committee on education be, and they are hereby instructed, to inquire what counties voted for, and what counties voted against, the adoption of the act of January 17th, 1849, entitled "an act to increase and extend the benefits of common schools," and also to inquire into the constitutionality of said act, and report the result of their inquiries to this House.

Mr. Morrison offered the following resolution :

Resolved, That the committee on education be instructed to inquire into the expediency of reporting a bill making provisions for a general system of education, and repealing the school law of the last session, and report by bill or otherwise.

Mr. Knowlton moved to lay the resolution on the table ;

Which motion prevailed.

Mr. Wilson offered the following preamble and resolution :

WHEREAS, The State of Indiana, by abolishing everything like an organization of the militia, has lost her apportionment of arms as allowed the States by Congress ; therefore,

Resolved, That the committee on military affairs be instructed to inquire into and devise some measure by which this State may reclaim her apportionment of arms, and providing for the further securing and reception of the same.

Which were adopted.

On motion by Mr. Cole,

Resolved, That the Auditor and Treasurer of State report to this House at as early a day as practicable, whether they have adjusted and settled the scrip account of the Wabash and Erie Canal East and West of Tippecanoe with the Trustees of said Canal, and fixed the amount outstanding which said trustees are bound to redeem, as provided by an act of the General Assembly of this State, approved January 16, 1849, and if such settlement has been made, to report the same to this House.

On motion by Mr. Dodd,

Resolved, That the committee on education be instructed to inquire into the expediency of abolishing the office of township trustee, and transferring the duties of the same to the county auditor and treasurer.

On motion by Mr. Prather,

Resolved, That the Treasurer of State inform this House why it is that the one thousand dollars for which the Georgia lands were sold does not appear in his annual report.

The Speaker laid before the House the following communication from the President of the Board of the Hospital for the Insane :

To the Hon. Speaker of the House of Representatives :

SIR—I herewith have the honor to present the fifth annual report of the Commissioners and Superintendent of the Hospital for the Insane, to the General Assembly now in session.

I have the honor to be,

Your obedient servant,

L. DUNLAP,

President of the Board.

December 11, 1849.

Mr. Robson moved to lay the report upon the table and order the printing of two thousand copies thereof, five hundred for the use of the House and one thousand five hundred for the use of the Hospital ;

Which motion prevailed.

On motion by Mr. Connor,

Resolved, That the committee on the judiciary inquire into the constitutionality of the law allowing voters to vote for or against licenses to sell spirituous liquors, &c.

On motion by Mr. Wells,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of repealing the 70th section of the 4th article of chapter 7 of the Revised Statutes of 1843, and revising the 18th section of the 2d article of chapter 4, in relation to county treasurers, and to report a bill thereon.

JOINT RESOLUTIONS INTRODUCED.

By Mr. Wright,

No. 109. A joint resolution on internal improvements ;

By Mr. Millikan,

No. 110. A joint resolution on the subject of the completion of the Michigan City harbor ;

By Mr. Edwards,

No. 111. A join resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana ;

Which were severally read a first time and ordered to a second reading.

By Mr. Chandler,

No. 112. A joint resolution on the subject of colonizing the free negroes ;

Which was read a first time and passed to a second reading.

BILLS &C. INTRODUCED.

By Mr. Leviston,

No. 113. A bill to amend an act entitled, "An act to incorporate the Liberty and Brownsville Turnpike Company," approved Feb. 12, 1848 ;

Which was read a first time and passed to a second reading.

On motion by Mr. Leviston,

The rules were suspended, the bill read a second time, and ordered to be engrossed.

By Mr. Salter,

No. 114. A bill to incorporate the Jasper County Plank Road Company ;

Which was read a first time and passed to a second reading.

By Mr. Withers,

No. 115. A bill establishing an additional place of holding elections in the township of Monroe, in the county of Pike ;

Which was read a first time and passed to a second reading.

By Mr. Chandler,

No. 116. A bill fixing the salaries of the Trustees of the Wabash and Erie Canal ;

Which was read a first time and passed to a second reading.

On motion by Mr. Wilson,

The rules were suspended, the bill read a second time, and,

On motion by Mr. Wilson,

The bill was referred to the committee on canals and internal improvements.

By Mr. Mickle,

No. 117. A bill to amend the eleventh section of the act, entitled, "An act to reduce the salaries of the Governor of the State, and other officers," approved, January 14th, 1843;

Which was read a first time and passed to a second reading.

By Mr. Essex,

No. 118. A bill in relation to public roads and highways in Bartholomew county;

Which was read a first time and passed to a second reading.

By Mr. Chandler,

No. 119. An act to authorize the Auditor to audit, and the County Treasurer to pay the three per cent. fund to the counties entitled to receive the same;

Which was read a first time and passed to a second reading.

By Mr. Hunter,

No. 120. An act to amend an act, to revise and consolidate the several acts of the General Assembly, relative to laying out, opening, repairing, changing, and vacating highways, and the erection and repairing of bridges, and to amend the same;

Which was read a first time and passed to a second reading.

By Mr. Gentry,

No. 121. An act to provide for the election of a Prosecuting attorney in the tenth Judicial Circuit;

Which was read a first time and passed to a second reading.

Mr. Niblack moved to suspend the rules and read the bill a second time;

Which motion prevailed.

Mr. Niblack moved to refer the bill to a select committee of three.

Mr. Gentry moved to amend by saying, a select committee of one from each county in the 10th judicial circuit.

The Speaker, [Mr. Edwards in the chair] appointed Messrs. Gentry, Niblack, Goodwin, Humphreys, Miller of Owen, Carr, and Delavan, said committee.

By Mr. Conoway,

No. 122. A bill for the relief of William Northern;

Which was read a first time and passed to a second reading.

By Mr. Spencer,

No. 123. A bill amending sections 48, 49, and 50, of chapter 29, of the Revised Statutes of 1843;

Which was read a first time, and passed to a second reading.

By Mr. Chandler,

No. 124. An act to appraise the personal property in the county of Warren, and State of Indiana;

Which was read a first time, and passed to a second reading.

By Mr. Hunter,

No. 125. An act to extend the privileges of the State Library;

Which was read a first time, and passed to a second reading.

By Mr. Shelby,

No. 126. A bill to amend an act for the benefit of common schools ;

Which was read a first time and passed to a second reading.

On motion by Mr. Mickle,

The rules were suspended, the bill read a second time.

Mr. Mickle moved to refer the bill to the committee on education.

Which motion prevailed.

By Mr. Athon,

No. 127. A bill for the benefit of the Clark County Central Plank Road Company ;

Which was read a first time and passed to a second reading.

ORDERS OF THE DAY.

Senate Bills on their third reading.

No. 12. A bill to legalize the proceedings of the trustees of the corporation of the town of Vevay ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Mickle,

House bill No. 22, was taken from the table.

No. 22. A bill for the preservation of the Northport Feeder Dam ;

Was read a third time, when,

Mr. Prather moved to refer the bill to the committee on canals and internal improvements, with the following instructions :

“Inquire into the expediency of selling the interest of the State in the Northport Feeder Dam, and report by bill, or otherwise.”

Which motion prevailed.

House bill,

No. 52. A bill requiring the Grand Jury in the county of Hancock, to meet on the third day of the court term ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

HOUSE BILLS ON THEIR THIRD READING.

No. 53. A bill to change the name of Eliza Jane Bristo to Eliza Jane Swisher ;

Was read a third time and passed.

On motion by Mr. Lane,

The title was amended by adding the words, “ and that of Nancy Brown to Nancy O’Neal.”

No. 54. An act to amend an act, entitled "An act requiring the supervisors of roads, in Sullivan county, to make report at the March term in each year, and for other purposes," approved January 26, 1847 ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 55. A bill to provide for the payment of jury fees in civil cases in the Allen circuit court ;

Was read a third time, when,

On motion by Mr. Hicks,

The bill was laid on the table.

No. 60. A bill to authorize the voters of Daviess county to vote in Washington township, in said county ;

Was read a third time.

The question then being on the passage of the bill,

It was decided in the negative.

Mr. Murray moved to reconsider the vote just taken on the passage of the bill ;

Which motion prevailed.

The question then being on the passage of the bill,

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

No. 63. A bill in relation to Lamasco city ;

No. 64. A bill in relation to extra taxes in Lamasco city ;

No. 65. A joint resolution authorizing the reports from the State Bank and Commissioners of the Sinking Fund to be made on the second week of the session ;

No. 70. A bill to extend the time of paying taxes for the year 1849, in the county of Randolph ;

Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

SENATE BILLS ON THEIR SECOND READING.

No. 16. A bill to extend the terms of the probate courts in certain counties ;

Was read a second time and ordered to a third reading.

On motion by Mr. Ross,

The rules were suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 26. A bill to locate a State road in the counties of Fountain, Montgomery, and Putnam ;

Was read a second time ;

On motion by Mr. Lane,

The bill was referred to a select committee, composed of the members representing the counties through which the road passed, viz: Messrs. Lane, Allen, Harney, Campbell, and Carnahan of Fountain.

No. 35. A bill relating to the docket of Bela Hearick, a justice of the peace of Posey township, Switzerland county :

Was read a second time and ordered to a third reading.

On motion by Mr. Spencer,

The rules were suspended, and the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

HOUSE BILLS ON THEIR SECOND READING.

No. 77. A bill to amend an act to establish a Free Turnpike Road in Adams county, approved January 13, 1845 ;

Was read a second time and ordered to be engrossed.

On motion by Mr. Spencer,

The bill was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 78. A bill to legalize the settlement of the auditor and treasurer of Kosciusko county for the financial year ending June, 1849, and for other purposes ;

Was read a second time and ordered to be engrossed.

On motion by Mr. Graves,

The rules were suspended, and the bill read a third time, and passed.

A message from his Excellency, the Governor, by Mr. Tarkington, the Executive Messenger :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills :

No. 31. An act to regulate the holding of Circuit Courts in certain counties in the third judicial circuit.

No. 18. A bill to extend the term of the circuit court of Marion county, authorized to be begun and held on the last Monday in October, in the year 1849 ;

On motion by Mr. Murray,

The House adjourned to meet to-morrow at 9 o'clock.

Dec. 12

WEDNESDAY MORNING, 9 O'CLOCK, JANUARY 18, 1849.

The House met pursuant to adjournment.

The journal of the preceding day was read.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, without amendment :

No. 4. An act to authorize the Board of Commissioners of Howard county to borrow money.

No. 44. An act to change the name of Reastine Cox.

The Speaker laid before the House the following communication from the Superintendent of the Northern Division of the Central Canal :

Indianapolis, Dec. 12th, 1849.

HON. G. W. CARR,

Speaker of the House of Representatives:

SIR :—Be pleased to lay before the House the accompanying report, called for by a resolution of the House.

Respectfully,

Your obedient servant,

ROBERT GREENFIELD,

Superintendent of Northern Division Central Canal.

To the Honorable the House of Representatives,

of the State of Indiana :

In accordance with a resolution of the House, requesting the Superintendent of the Northern Division of the Central Canal to report to the House, at an early day as practicable, the amount of water rents received from each person respectively, I report the following, as a correct statement of the amount received and expended by me since my appointment by Governor Dunning.

State of Indiana, in account with R. Greenfield.

	Cr.
Cash received of N. West, - - - - -	\$45 00
Cash received of Hannaman, - - - - -	43 00
Cash received of R. Underhill, - - - - -	40 00
	<hr/>
	\$128 00
Cash paid to laborers in June, - - -	\$73 50
Cash paid to laborers in July, - - -	26 50
Cash paid laborers in August, - - -	19 00
Services rendered per self, and materials furnished, - - - - -	410 75
Cash paid sundry persons employed by Basil Brown, - - - - -	18 50
Cash expended in repairing the dam at the Bluffs (account not rendered) say - -	200 00
	<hr/>
	\$748 25
Amount due me, - - - - -	\$620 25

The receipts for the above expenditures are in the possession of the Auditor of State. The amount expended on the dam at the Bluffs, must be considered as a credit, on the amount due by Frees & Connan for water rent. The Superintendent is compelled by law to make his reports to the Auditor of State, and there were no books or papers of the former Superintendents of said Canal, came into my hands, consequently, I am unable to state the amount of rent due the State from each lessee of water power on said canal, not having access to the reports on file in the Auditor's office. The lessees of water power have refused, heretofore, to pay the full amount of rent; because, they say, that under the control of the former Superintendents' of the canal, they have not been furnished, during the summer, with the amount of water leased by them from the State, and that they have requested a settlement with the State, through her agents, but as yet have been unable to obtain a settlement; and that they are willing to settle any time, and pay for the amount of water furnished them by the State, but are unwilling to pay for water which, they say, was not furnished. I have not settled with the lessees as to rent due the State, before I was appointed to take charge of the canal, because I have had no data, as a basis for making such a settlement. There has been no difficulty, during the six months that I have had charge of the canal, in furnishing a sufficient supply of water, nor would there be any diffi-

culty now in collecting the rents as they become due, if the lessees could have a settlement with the State.

ROBERT GREENFIELD,
Superintendent of Northern Division of Central Canal.

On motion by Mr. Hunter,

The communication was referred to the committee on canals and internal improvements.

PETITIONS &C., PRESENTED.

By Mr. Millikin,

The Temperance memorial of citizens of Laporte county ;

Which,

On motion,

Was referred to the select committee of one from each Judicial Circuit, on the subject of temperance memorials.

By Mr. Defrees,

The petition of citizens of Elkhart county, on the subject of licensing pedlars ;

Mr. Defrees moved to lay the petition on the table ;

Which motion did not prevail.

Mr. Cravens moved to refer the petition to the committee on the judiciary ;

Which motion prevailed.

By Mr. Campbell,

The Temperance memorial of citizens of Montgomery county ;

Which,

On motion,

Was referred to the select committee of one from each judicial circuit on the subject of temperance memorials.

By Mr. Campbell,

The Temperance memorials of citizens of Fountain county ;

Which,

On motion,

Was referred to the select committee of one from each judicial circuit on the subject of temperance memorials.

By Mr. Niblack,

The petition of citizens of Martin county, praying for the enactment of a law to legalize the election of auditor of said county ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Niblack, Barker, and Goodwin.

By Mr. O'Neal,

The temperance memorial of citizens of Tippecanoe county ;

Which,

On motion,

Was referred to the select committee of one from each judicial circuit, on the subject of temperance memorials.

By Mr. Wells,

The petition of Cain Dockery and others, citizens of Jackson county ;

Which,

On motion,

Was referred to a select committee, consisting of

Messrs Wells, Athon, and Hicks.

By Mr. Elder,

The petition of citizens of Wayne county, relative to granting the right of way for a State road on the Ohio line, commencing at the west road from Eaton, Ohio, to Boston, in Indiana, and to run through Wayne county ;

Which,

On motion,

Was referred to the committee on roads.

The Speaker presented the petition of citizens of Jennings county for the establishment of a State Orphan Asylum ;

Which,

On motion by Mr. Robson,

Was referred to a committee of one from each congressional district.

The Speaker appointed the following gentlemen said committee, viz :

5th district—Mr. Robson,

1st district—Mr. Withers,

2d district—Mr. Hillis,

3d district—Mr. Robinson of Decatur,

4th district—Mr. Leviston,

6th district—Mr. Niblack,

7th district—Mr. Lane,

8th district—Mr. Campbell,

9th district—Mr. Millikin,

10th district—Mr. Dodd.

REPORTS FROM COMMITTEES.

Mr. Mickle, chairman of the committee of ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means, to whom was referred bill No. 69, entitled "a bill to authorize the Governor, Auditor, and Treasurer of State to borrow money sufficient to pay the interest due on the funded debt on the first of January and July, 1850," have according to order had that subject under consideration, and have directed me to report it back to the House, without amendment, and

recommend its passage, and ask to be discharged from the further consideration of the subject.

Mr. Mickle moved to suspend the rules and read the bill a third time.

Which motion did not prevail.

Mr. Cole offered the following amendment to the bill :

Add after section 2d the following :

Sec. —. The said loan shall not be effected until ample provision shall have been made for the re-appraisment of the Wabash and Erie canal lands east of Tippecanoe, as provided for by an act of the General Assembly, entitled "an act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved January 19, 1846, so as to secure the completion of said re-appraisment by the first day of October, 1850; and also for the redemption in par funds of the entire amount outstanding of canal land certificates or scrip, for the construction or repair of said canal east of Tippecanoe.

Mr. Edwards moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Cole and Russell,

Those who voted in the affirmative are,

Messrs. Allen, Alley, Athon, Barker, Beard, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Campbell, Carnahan of Fountain, Carnahan of Posey, Cleaver, Conway, Cotton, Cravens, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Goodwin, Greathouse, Harney, Hart, Harvey, Hicks, Hill, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Landis, Lane, Lank, Leviston, Menaugh, Mickle, Miller of Owen, Morrison, Niblack, O'Haver, O'Neal, Orr, Patterson, Reed, Richardson, Ross, Rush, Salter, Shelby, Sherrod, Spencer, Stewart, Stone, Stoops, Thom, Thomas, Tibbrook, Weir, Withers, Wilson, Wright, Yocum and Mr. Speaker—79.

Those who voted in the negative are,

Messrs. Cole, Defrees, Graves, May, Miller of Marshall and Fulton, Murray, Prather, Robinson of Decatur, Robinson of Laporte, Russell, Summers, Warriner, Weaver, Wells, and Whinery—15.

So the amendment was laid on the table.

On motion by Mr. Cole,

The vote on suspending the rules was reconsidered.

The question recurring on suspending the rules was decided in the affirmative.

The bill was then read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House without amendment :

No. 73. An act to amend an act entitled "an act to incorporate the Lafayette Insurance Company," approved February 8th, 1836.

REPORTS FROM COMMITTEES.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House, No. 33, have had the same under consideration and instructed me to report the same back with the following amendments, and when so amended, recommend its passage :

Strike out of the first section, all after the word "and," in the seventh line, and insert—

"All that part of article eight, chapter fifty-four, of the revised statutes of 1843, repealed by the aforesaid act, is hereby revived.

Also, Strike out of the second section, the word "passage," and insert "publication."

Which amendments were concurred in.

The bill as amended, was ordered to be engrossed.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House, No. 49, extending the jurisdiction of Notaries Public, with instructions to amend the same by striking out so much thereof, as requires the seal of a Notary Public to contain any particular set of words, have had the same under consideration and directed me to report the same back with the following amendment, made in pursuance of the instructions aforesaid :

Viz: strike out all of section two.

Which amendment was concurred in.

The bill as amended, was ordered to be engrossed.

Mr. Edwards, from the judiciary committee, made the following report:

MR. SPEAKER:

The committee on the judiciary, to whom was referred the resolution of the House, instructing them to inquire into the propriety of limiting by law, the time of bringing suits on official bonds, have instructed me to report the accompanying bill, and recommend its passage:

No. 128. A bill to limit actions on official bonds;

Which was read a first time and passed to a second reading.

Mr. Graves, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee, to whom was referred bill of the House, No. 6, entitled an act relative to appeals and writs of error from probate courts, respectfully beg leave to report that they have had the same under consideration, and have instructed me to report the same back with one amendment, upon the adoption of which amendment, they respectfully recommend its passage:

Strike out all of said bill, after the enacting clause, and insert the following:

That hereafter, nothing contained in the provisions of the 33d, 34th, and 35th sections of chapter 39, of the revised statutes of 1443, shall be so construed as to prevent causes being taken by appeal or writ of error, from the circuit courts of this State, to the supreme court, which originated in the probate courts, by either of the parties to the same; but such appeals may be taken, and writs of error sued out, as in other cases; and the supreme court shall have the same jurisdiction thereof, and entertain, hear, and determine the same, as though such cause had been taken in the first instance from such probate courts, without regard to the decision of such causes in the circuit courts.

SEC. 2. The clerks of the circuit courts shall, in making out any transcript of the proceedings in any such case, (which shall include the transcript from the probate court,) tax thereon, all the fees accrued in the circuit court, and the same shall be included in the judgment of the supreme court against the losing party, and shall be collectable by fee bill, or otherwise, from said supreme court, and by the clerk thereof paid over to the clerk of such circuit court, for the use of the parties entitled thereto.

SEC. 3. The party taking up any such cause, from any circuit court, shall comply with the usual rules and regulations in other cases; and the supreme court shall certify their determination of any such cause to the proper probate court, and the after proceedings therein, shall be, in every respect, the same as though such cause had never been taken to the circuit court.

SEC. 4. That in all causes pending in any probate court, either of the parties thereto, shall be entitled to a change of venue to the circuit court of the same county, where any of the objections shall exist against the judge thereof, which now, by law, authorize a change of Venue from the circuit courts, in civil cases; and it shall be granted upon the same terms.

SEC. 5. This act to take effect and be in force from and after its passage.

Which amendment was concurred in.

The bill as amended, was ordered to be engrossed.

Mr. Spencer, from the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill, No. 15, after due consideration of the same, have instructed me to report the same back with the following amendment, to-wit :

Strike out all of section first, of said bill, after the word "Randolph," and in its place, insert the following :

Twelve copies of the General Laws of the State of Indiana, of 1848-'9, to the county of Vigo, twelve copies, to the county of Washington, and to the county of Ohio, six copies of said laws, in addition to the number of copies already allotted by law to said counties.

Which amendment was not concurred in.

The question then being, shall the bill be engrossed, was decided in the negative.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill No. 13, in relation to fees and salaries, have had the same under consideration, and beg leave to report the same back, with the following amendments, viz :

Strike out the word "any" in the first section of the bill, and in its place insert "Delaware."

Also, add to the 2d section of said bill the words, "so far as Delaware county is concerned."

And with said amendments your committee recommend its passage.

Which amendments were concurred in, and the bill, as amended, was ordered to be engrossed.

Mr. Carnahan of F., from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to which was referred the petition of A. Taylor and others, praying this General Assembly of the State of Indiana ' to pass an act authorizing county recorders to solemnize marriage,' have had the same under consideration, and have instructed me to report that it is inexpedient to legislate thereon.

Which was concurred in.

Mr. Carnahan of F., from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred the resolution instructing said committee to inquire into the expediency of so changing the law as to authorize jurors before probate courts to receive the same compensation that is allowed jurors before the circuit courts, and to repeal the law approved January 13, 1845, allowing such jurors only so much as is allowed to jurors before justices of the peace, have had the same under consideration, and have instructed me to report the following bill, in pursuance of said resolution, and respectfully to recommend its passage :

No. 129. A bill to increase the fees of jurors before probate courts.

Which was read a first time and passed to a second reading.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill No. 50, have had the same under consideration, and have directed me to report the same back with the following amendment, and when so amended to recommend its passage, viz :

Strike out all of section 1st and in its place insert the following :

That the fees now allowed to the clerk of the probate court of the county of Knox, in the State of Indiana, for any services now required of him by law, be and the same are hereby reduced twenty per cent.

Which amendment was concurred in, and the bill, as amended, was ordered to be engrossed.

Mr. Brown of S., from the judiciary committee, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred a resolution of the House, instructing said committee to inquire into the expediency of revising and simplifying the fees of the several county and township officers in this State, have had the same under consideration, and directed me to report that in the opinion of said committee it is inexpedient to legislate on that subject, and ask to be discharged from further consideration of said resolution.

Which report was concurred in.

On motion by Mr. Orr,

The vote on House bill No. 13, entitled, "a bill in relation to witnesses' fees," was reconsidered.

On motion by Mr. Hillis,

The bill was amended by inserting the county of Jefferson.

On motion by Mr. Gessie,

The bill was amended by inserting the county of Vermillion.

On motion by Mr. Wright,

The bill was amended by inserting the county of Switzerland.

On motion by Mr. Ross,

The bill was amended by inserting the county of Franklin.

On motion by Mr. Delavan,

The bill was amended by inserting the county of Morgan.

On motion by Mr. Weir,

The bill was amended by inserting the county of Sullivan.

On motion by Mr. Wells,

The bill was amended by inserting the county of Jackson.

Mr. Wilson moved to refer the bill to the committee on the judiciary, with instructions to make the law general.

Which motion prevailed.

On motion by Mr. Wilson,

the rules were suspended.

Mr. Wilson offered the following resolution :

Resolved, That 2000 additional copies of the report of the Auditor of State in relation to the incidental expenses of the Agent of State, be printed for the use of the House.

Mr. Spencer moved to strike out 2000 and insert 500.

The question being on the adoption of the resolution offered by Mr. Wilcox,

It was decided in the affirmative.

Mr. Hart, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The standing committee on roads, to whom was referred House bill No. 45, entitled an act to amend the 43d section of the revised road law of 1849, have had the same under consideration, and instructed me to report the same back to the House and recommend its passage.

Which was ordered to be engrossed.

Mr. Hill, from the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads, to whom a resolution of the House was referred directing them to inquire into the expediency of enacting a law prohibiting drovers or others from driving more than a specified number of horses, mules, cattle, or hogs, at any one time over the public bridges of this State, have had the same under consideration, and directed me to report it inexpedient to legislate on that subject, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. May, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred No. 8, a joint resolution on the subject of reduction of postage, with instructions to amend the same, now report back said joint resolution, amended in conformity with the instruction of the House.

Amend section 1 by adding the words, "within thirty miles of the office of publication, and on all distances over thirty miles the present rates of postage."

Which amendment was concurred in.

Mr. Chandler moved to recommit the joint resolution to the same select committee, with the following instructions :

Insert in the proper place—

"That all other pamphlets and newspapers shall be subject to a postage of one and a half cents per ounce."

Mr. Cleaver moved to lay the joint resolution on the table ;

Which motion did not prevail.

The question being on the recommitment, was decided in the negative.

The joint resolution was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Carnahan of Posey, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill No. 76, entitled an act to legalize a certain act therein named, have had the same under consideration, and have instructed me to report the bill back to the House with the following amendment, and ask for its adoption :

Strike out all from the enacting clause and insert the following—

WHEREAS, It has been represented to the General Assembly of the State of Indiana, that the returning judges of the August election held in the counties of Decatur, Vanderburg, and Posey, for the year 1849, made their several returns of the vote taken upon the school law, under the provisions of an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849, to the clerks of the several counties above mentioned, instead of returning the same to the auditors of said counties as required by law.

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That the said returns shall be taken and deemed to have the same force and effect for all purposes whatever, as if the same had been made to the auditors of said counties.

Sec. 2. This act to be in force from and after its passage, and the Secretary of State is hereby directed to forward a certified copy of this act forthwith to each of the auditors of the above named counties.

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

Mr. Cleaver, from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred the petition from township No. 8 of range 1, and township No. 9, range 1, in Franklin county, having had the same under consideration, beg leave to report the following bill, in which the concurrence of the House is respectfully requested :

No. 130. A bill to revise and amend an act entitled "an act to authorize the election of a school commissioner in township 9, range 1 west, in Franklin county ;

Which was read a first time and passed to a second reading.

On motion by Mr. Cleaver,

The rules were suspended, and the bill read a second and third times and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Ross, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the bill entitled an act to restrict the grand jury in Franklin county to a limited time in their sessions, beg leave to report that they have had the same under consideration, and report the same back to the House, with an amendment of two sections to the bill, in which the concurrence of the House is respectfully requested :

No. 51. A bill to restrict the grand jury in Franklin county to a limited time in their sessions.

Add the following :

Sec. —. That if any person shall voluntarily appear before the grand jury of said county, and procure an indictment against any person who shall upon his trial be acquitted, the court trying said cause, or before whom said cause was tried, may, in their discretion render judgment against the said prosecuting witness for the costs which have accrued in said cause.

Sec. —. That if any person voluntarily appear before a justice of the peace in said county, and enter a complaint against any person charging him with a violation of the criminal law of this State, and procure him to be arrested and tried, if acquitted, the justice of the peace in his discretion may enter up a judgment against said prosecuting witness for the costs which have accrued in said cause.

The question then being on concurring in the amendment,
Was decided in the negative.

On motion by Mr. May,
The vote on concurring was reconsidered ;
The question then being,
On concurring in the amendment,
Was decided in the affirmative.

The bill as amended was ordered to be engrossed.

Mr. Mickle, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of James Clendenning, and others, citizens of Adams county, praying for a law to authorize William McDowell to erect a mill dam across the Wabash river, in Adams county, have had that subject under consideration, and have directed me to report the following bill, request its passage, and ask to be discharged from the further consideration of the subject.

No. 131. A bill to authorize William McDowell to erect a mill dam across the Wabash river ;

Which was read a first time and passed to a second reading.

The Speaker laid before the House the following communication from His Excellency, the Governor :

EXECUTIVE DEPARTMENT, }
Dec. 12th, 1849. }

HON. GEORGE W. CARR,

Speaker of the House of Representatives: .

You will please lay before the body over which you have the honor to preside, the enclosed papers, being copies of receipts given by me, for the field notes, maps, books, papers, records, &c., appertaining to the survey of the United States lands, and land titles, within the limits of the State of Indiana, together with the copies of the letters of the Surveyor General, and Commissioner of the General Land Office, on the same subject.

These valuable papers are now placed in the possession of the State Librarian. It is the duty of the Legislature to provide a safe, and secure deposit for them, and to take such action as will protect these evidences of the title of property, under such rules and regulations as may seem proper to the representatives of the people.

Respectfully,

JOSEPH A. WRIGHT.

SURVEYOR GENERAL'S OFFICE, }
Detroit, December 4, 1849. }

SIR :—Your letter of the 21st ult., has been received, and I now forward by J. E. Hyde, Esq., one of the Clerk's in this office, seven boxes, containing all the field notes, maps, books, documents, papers, records, &c., pertaining to the surveys of United States lands, and land titles, in the State of Indiana, to be delivered to that State, under the provisions of the acts of the 12th of June, 1840, and 3d of March, 1845, for which please give him duplicate receipts, one for this office, and the other for the General Land Office.

Mr. Hyde is thoroughly acquainted with every part of these surveys, and can give every explanation in relation to them that may be desired.

I am, sir,

With high respect,

Your obedient servant,

LUCIUS LYON,

Surveyor General.

To His Excellency,

PARIS C. DUNNING,

Governor of Indiana.

GENERAL LAND OFFICE,
September, 29th, 1848.}

SIR:—By the 1st section of the act of Congress, approved June 12th, 1840, entitled, “an act for the discontinuance of the office of Surveyor General in the several districts, so soon as the surveys therein can be completed, &c.,” it is provided that “wherever the surveys and records of any such district or State shall be completed, the Surveyor General thereof shall be required to deliver over to the Secretary of State, of the respective States, including such surveys, or such other officers as may be authorized to receive them, all the field notes, maps, records, and other papers, appertaining to land titles within the same, and the office of Surveyor General in every such district shall thereafter cease and be discontinued.”

The surveys in Indiana have been almost, if not entirely executed, and I have, therefore, to request, that in accordance with the requirements in the act of 3d March, 1845, making appropriations for the survey of the public lands, that you will have the surveys and records completed as early as practicable, that all the maps, field notes, records, and other papers pertaining to the surveys in that State, may be delivered to the Secretary of State, or such other officers as may be appointed to receive them, as required by those laws, on or before the 30th of June, 1849. A letter has been this day addressed to the Governor of Indiana on the subject, requesting that he will cause the necessary arrangements to be made to receive them, and designate the office to whom they shall be delivered.

Very respectfully

Your obedient servant,

RICHARD M. YOUNG,

Commissioner.

[Signed.]

LUCIUS LYON, Esq.,

Surveyor General District Mich.

Inventory,

Of the field notes, maps, books, documents, papers, records, &c., appertaining to the surveys of United States lands, and land titles, within the limits of the State of Indiana, delivered to the executive of said State, under the instructions of the Commissioner of the General Land Office.

ORIGINAL FIELD NOTES.

E. & W. of 1st Meridian.

The original fields notes of townships 1 and 2, east of the 1st meridian, and below the mouth of the Great Miami river.

Of townships 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, in range 1 west of 1st meridian.

Of townships 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, in range 2 west of 1st meridian.

Of townships 1, 2, 3, 4, 5, 6, 7, 8, and 9, in range 3 west of the 1st meridian.

Of township 1, 2, and 3, in range 4 west of 1st meridian (excepting those lines described in vol. 1 w of 1st mer., page 356.)

North of Base Line and East of 2d Meridian.

Of township 1 N., range 1 2 3 4 5 6 8 9 and 10—E.

Of township 2 N., range 1 2 3 4 5 6 7 8 9 and 10—E.

Of township 3 N., range 1 2 3 4 5 6 7 8 9 10 11 and 12—E.

Of township 4 N., range 1 2 3 4 5 6 7 8 9 10 11 and 12—E.

Of township 5 N., range 1 2 3 4 5 6 7 8 9 10 11 and 12—E.

Of township 6 N., range 1 2 3 4 5 6 7 8 9 10 11 12 and 13—E.

Of township 7 N., range 1 2 3 4 5 6 7 8 9 10 11 12 and 13—E.

Of township 8 N., range 1 2 3 4 5 6 7 8 9 10 11 12 and 13—E.

Of township 9 N., range 1 2 3 4 5 6 7 8 9 10 11 12 and 13—E.

Of township 10 N., range 1 2 3 4 5 6 7 8 9 10 11 12 and 13—E.

Of township 11 N., range 1 2 3 4 5 6 7 8 9 10 11 12 and 13—E.

Of township 12 N., range 1 2 3 4 5 6 7 8 9 10 11 12 and 13—E.

Of township 13 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 and 14—E.

Of township 14 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 and 14—E.

Of township 15 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 and 14—E.

Of township 16 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 and 14—E.

Of township 17 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 and 14—E.

Of township 18 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.

Of township 19 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.

Of township 20 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.

Of township 21 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.

Of township 22 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.

Of township 23 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.

Of township 24 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.

Of township 25 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.

Of township 26 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.

Of township 27 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.

- Of township 28 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.
 Of township 29 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.
 Of township 30 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.
 Of township 31 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.
 Of township 32 N., range 1 2 2 4 5 6 7 8 9 10 11 12 13 14 and 15—E.
 Of township 33 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.
 Of township 34 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.
 Of township 35 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.
 Of township 36 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.
 Of township 37 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.
 Of township 38 N., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—E.

North of Base Line and West of 2d Meridian.

- Of township 1 N., range 1 2 3 4 5 6 7 8 9 10 11 and 12—W.
 Of township 2 N., range 1 2 3 4 5 6 7 8 9 10 and 11—W.
 Of township 3 N., range 1 2 3 4 4 6 7 8 9 10 and 11—W.
 Of township 4 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 5 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 6 N., range 1 2 3 4 5 6 7 8 9 10 and 11—W.
 Of township 7 N., range 1 2 3 4 5 6 7 8 9 10 and 11—W.
 Of township 8 N., range 1 2 3 4 5 6 7 8 9 10 and 11—W.
 Of township 9 N., range 1 2 3 4 5 6 7 8 9 10 and 11—W.
 Of township 10 N., range 1 2 3 4 5 6 7 8 9 10 and 11—W.
 Of township 11 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 12 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 13 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 14 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 15 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 16 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 17 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 18 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 19 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 20 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 21 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 22 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 23 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 24 N., range 1 2 3 4 5 6 7 8 9 and 10—W.

Of township 25 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 26 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 27 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 28 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 29 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 30 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 31 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 32 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 33 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 34 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 35 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 36 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 37 N., range 1 2 3 4 5 6 7 8 9 and 10—W.
 Of township 38 N., range 1 2 3 4 5 6 7 8 9 and 10—W.

South of Base Line and West of 2d Meridian.

Of township 1 S., range 1 2 3 4 5 6 7 8 9 10 11 and 12—W.
 Of township 2 S., range 1 2 3 4 5 6 7 8 9 10 11 12 13 and 14—W.
 Of township 3 S., range 1 2 3 4 5 6 7 8 9 10 11 12 13 and 14—W.
 Of township 4 S., range 1 2 3 4 5 6 7 8 9 10 11 12 13 and 14—W.
 Of township 5 S., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—W.
 Of township 6 S., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—W.
 Of township 7 S., range 1 2 3 4 5 6 7 8 9 10 11 12 13 14 and 15—W.
 Of township 8 S., range 2 6 7 11 13 14 and 15—W.
 Of township 9 S., range 14—W.

South of Base Line and East of 2d Meridian.

Of township 1 S., range 1 2 3 4 5 6 and 9—E.
 Of township 2 S., range 1 2 3 4 5 and 6—E.
 Of township 3 S., range 1 2 3 4 5 and 6—E.
 Of township 4 S., range 1 2 3 4 5 and 6—E.
 Of township 5 S., range 1 2 3 4 and 5—E.
 Of township 6 S., range 3 4 and 5—E.

Field notes of private claims in the Vincennes district contains, in 19 manuscript books, as surveyed by Robert Buntin, and others, also a list of the same.

Field notes of the following named Indiana Reservations and grants, to-wit :

By Treaty at St. Mary's Oct. 2, 1818.

Of six sections to the Burnetts, below the mouth of the Tippecanoe river, and also six sections at Flint river.

One section to Perry, on Flint river.

One section to Mory Chatocie, below Pine river.

The Sugar Creek Reserve between Raccoon and Sugar Creeks.

By Treaty at St. Mary's, October 6th, 1818.

Of the Miami National Reserve 34 miles square.

Reserve two miles square on Salamonia river.

Reserve six miles square at Forks of the Wabash river.

Reserve ten miles square opposite the A'lorti.

Reserve ten miles square on Sugar creek, (Thorntown.)

Reserve two miles square at mouth of Flat Rock creek.

Three sections to J. B. Richardville on St. Mary's river, near Fort Wayne.

Two sections to J. B. Richardville east side of St. Mary's river.

Two sections to J. B. Richardville at 27 Mile creek.

Two sections to J. B. Richardville Forks of the Wabash river.

Five sections to Long Hair and others at Wyandotte Village.

Six sections to Francois Godfrey on Salamonia river, Petite Prairie.

Two sections to the two oldest children of Peter Longlois.

Two sections to the children of A. Bondie, (S'Isle a lialle.)

Two sections to F. Lafontain and son near Fort Wayne.

Two sections to the children of A. Riviere at 27 Mile creek.

One section to Peter Longlois' youngest child.

One section to son of Geo. Hunt on St. Mary's river.

One section to Little Turtle on Wabash river.

One section to Josette Beaubien on St. Mary's river.

One section to Rebecca Hakley at Maunsee town.

One section to Mary Wells at Stoney creek.

By Treaty at Mississinewa, October 16th, 1826.

Of three sections to Abram Burnett on Wabash river.

One section to Eliza Cass Kercheval on Maumee river.

One-half sections to James Kiroggs on Maumee river.

Three sections to children of James Barrow at mouth of Eel river.

One section to Z. Cicott on Wabash river.

One section John B. Bourie on Maumee river.

One section to James Parks on St. Joseph's river.

Three sections to George Cicott as he directs.

Three sections to James Henry and Wm. Conner on Wabash river.

By Treaty at Mississinewa, October 23, 1846.

Of fourteen sections at Seeks' Village.

Five sections for Beaver adjoining Seeks.

Five sections for Little Charley on Eel river.

One section for Loventures's daughter.

One section for Chapine adjoining Seek's village.

Ten sections at White Raccoon's village.

Ten sections on Mud creek on Eel river.

Ten sections on Forks of the Wabash river.

Reserve five miles wide, opposite mouth of the Mississinnewa river, and extending back to Eel river.

One section to John B. Richardsville below the mouth of Pipe creek.

One section to John B Richardsville on north west side of St. Joseph's river.

One-half section to John B Richurdsville on east side of St. Joseph's river.

One section to John B Bourie on St. Joseph's river.

One section to wife and children of Charley.

One section to Ann Hackley on St. Joseph's river.

One section to Jack Hackley on St. Joseph's river.

One section to children of M C De Rome on St Joseph's river.

One section to J B Richardsville opposite the mouth of Pipe creek.

One section to Francios Godfrey adjoining above.

One section to Louison Godfrey adjoining above.

One section to F Lafontaine adjoining above.

One section to J B Richardville, jr., on Wabash river.

One section to Joseph Richardville on Wabash river.

Four sections to La Gros.

Two sections to Metchinegua on Eel river (Weeson.)

By Treaty at Tippecanoe, October 26th, 1832.

Of one section to J B Shadernach.

By Treaty at the Forks of the Wabash, October 23d, 1834.

Of one-half section to Peter Longlois on Wild Cat creek, No 1.

Two sections to J B Richardville in Big Reserve, No 2.

Half section to F Godfroy in Big Reserve, No 3.

Half section to F Godfroy in Big Reserve, No 4.

Quarter section to Rebecca Hackley in Big Reserve, No 5.

One section to Paul Longlois in Big Reserve, No 6.

One section to Black Loon in Big Reserve, No 7.

One section to O San dich in Big Reserve, No 8.

One section to Duck in Big Reserve, No 9.

One section to Wa-po-pin-sha in Big Reserve, No 10.

Half section to Peter Goin in Big Reserve, No 11.

One section to Francis Godfrey near Five Miles Reserve, No 12.

One section to John B Richardville in Five Miles Reserve, No 13.

Quarter section to John B Richardville in Five Miles Reserve, No 14.

One section to Francis Godfrey in Five Miles Reserve, No 15.

One section to To-pe-ah in Ten Miles Reserve, No 45.
 One section to Wa-pa-se-pah in Ten Miles Reserve, No 46.
 Two sections to Ne-oh-long-quas in Ten Miles Reserve, No 47.
 One section Suson lohng-quas in Ten Miles Reserve, No 48.
 Half section to Po Quah in Ten Miles Reserve, No 49.
 Half section to F Godfrey in Ten Miles Reserve, No 50.
 One section to Chapiemian in Ten Miles Reserve, No 51.
 One section to Wa-pe-mong-quah in Ten Miles Reserve, No 52.
 One section to Ca-to-ke-mong-qua in Ten Miles Reserve, No 53.
 One section to Chapienne to include Raccoon village, No 54.
 Additions to grants Nos. 12, 13, 14, and 15, north of Wabash river.

By Treaty at Forks of the Wabash, November 6th, 1838.

Of two sections to J B Richardville at Falls of Pipe creek, No 1.
 Half section to Godfrey on Wabash River, No 2.
 One section Mais-zi-Quah on Wabash river, No 3.
 One section to J B Richardville on Pipe creek, No 4.
 Of two sections to J B Richardville at mouth of Mississinnewa river, No 5.
 One section to J B Richardville at Osage village, No 6.
 One section to F Godfrey opposite town of Peru, No 7.
 One section to F Godfrey on Little Pipe creek, No 8.
 Four sections to F Godfrey where he lives, No. 9.
 One sections to O-san-diah on Mississinnewa river, No 10.
 One section to Poqua Godfrey on Wabash river, No 11.
 One section to Catharine Godfrey on Wabash river, No 12.
 One and a half section to Me-cha-ne-qua on Wabash river, No 13.
 Three sections to J B Richardville at mouth of Salamaine river, No 14.
 Half section to Kah-lob-mong-quoh-au on Wabash river, No 15.
 Half section to son of La Bloude on Wabash river, No 16.
 One section to Ton-wah-kee-shee on the Wabash river, No 17.
 One section to J B Richardville opposite town of Wabash, No 18.
 Half section to Godfroy opposite back of above, No 19.
 One section to Mais-shil-goun-mi zeb at Durlick, No 20.
 One section to Allolah, No 21.
 10 square miles to Band of Metosinia on the Mississinnewa river, No 22.
 Of one section to F Godfroy where he directs, No. 23.
 One section to wife of Benjamin where she lives, No 24.
 One section to deaf man's daughter on Mississinnewa river, No 25.
 One section to Ni-con-zah on Mississinnewa river, No 26.
 One section to Wa-pe-pin cha on Mississinnewa river, No 27.
 One section to Toh-ka-mong on Mississinnewa river, No 28.
 One section to La Blonde on Wabash river, No 29.
 One section to Black Loon on Salamaina river, No 30.
 One section to Me-cha-ne-quah on Salamaina river, No 31.
 One section to Peter Gouin in Six Miles Reserve, No 32.

One section to Black Loon in Six Miles Reserve, No 33.

One section to Duck in Six Miles Reserve, No. 34.

One section to Me-cha-ne-qua where he lives, No 35.

Of one and a half section to J B Richardville at mouth of Flat Rock creek, No 36.

One section to Pe-she-wah on Wabash river, No 37.

One section to Chapine on in 10 Miles Reserve, No 38.

One section to White Raccoon in 10 Miles Reserve, No 39.

One section to La Fountain in 10 Miles Reserve, No 40.

One section to Seek in 10 Miles Reserve, No 41.

One section to Ne-wa-ling-qua in 10 Miles Reserve, No 42.

One section to White Loon in 10 Miles Reserve, No 43.

One section to J B Richardville as he directs, No 55.

By Treaty at Forks of Wabash River, November 28th, 1840.

Of seven section to John B Richardville as he directs.

One section to F Lea Fountain at Rapids of Wild Cat creek.

Field notes of "Michigan Road Lands" as surveyed by the State of Indiana.

Fields notes of sundry fundamental lines, viz: of the Base and 2d Meridian lines; of line opposite the mouth of Kentucky river to Fort Recovery; of the boundaries of the Vincennes tract; of "Harrison's purchase;" of the "Grousland Muchase;" of the "12 mile purchase;" of the United States Reserve at Fort Wayne; of Indian boundaries throughout the State; and copies of the survey of State lines, and line around Clark's grant.

Field notes of closings on the West boundary of the State of Indiana and connections with the public surveys.

Field notes of the retracing and remeasuring part of the west boundary line of Indiana.

Field notes of closing public surveys upon line of Clark's grant.

Field notes of pre-emption to heirs of Captain Wells near Fort Wayne.

Field notes of the survey of islands in 1848 by A. E. Van Ness, and in St. Joseph's river by N. Brookfield.

Field notes of sundry townships in Illinois, (west of Wabash river,) which cannot be separated from the Indiana notes.

Copies of Field Notes in Illinois adjoining the west boundary of Indiana, as furnished by the Surveyor General at St. Louis.

Copies of Original Field Notes returned by the following named surveyors, viz: D. Hillis, A. E. Van Ness, Uriah Biggs, G. W. Harrison, William Clark, Perrin Kent, Thos. J. Todd, H. Bryan, Basil Bently, Wm. B. Laughlin, Wm. Polk, John Milroy, Thos. Brown, Thomas Henderson, A. St. C. Vance, James Riley, R. J. Dawson, A. W. Morris, A. Burnside, Jeremiah Smith, A. Wallace, Thomas G. Noble, J. F. Polke, John McDonald, and N. L. Squibb.

One package of original protractions, (useless).

Field Notes of survey, reducing size of claims No. 25 to Deaf-

man's daughter, and No. 34 to Duck, to 640 acres each, by A. E. Van Ness, in 1849.

Original Township Maps, Plats, Diagrams, &c.

The original township plats of ranges 1, 2, 3, 4, west, and of range 1, east of 1st meridian, as heretofore enumerated.

The original plats of townships and fractional townships east and west of 2d meridian, and north and south of base line, as hereinbefore enumerated.

Original plats of private claims in the Vincennes district.

Original plats of Indiana reservations and grants, as hereinbefore enumerated.

Plats of "Michigan Road Lands," as surveyed by the State of Indiana.

Diagrams of sundry exterior township lines in Indiana.

Plat of boundary line between Indiana and Michigan, as surveyed by Kendrick.

Plat of line run east from south end of Lake Michigan, by William Harris.

Plat of boundary between Indiana and Illinois, as surveyed by John McDaun.

Plat of the retracing and remeasuring of boundary between Indiana and Illinois, by Perrin Kent and Sylvester Sibley.

Connected maps of public surveys in the Jeffersonville, Vincennes, Indianapolis, Crawfordsville, Fort Wayne, and part of the Laporte (now-Winnamac) land districts.

Two maps of Vincennes tract.

One map of Harrison's purchase.

A diagram of the State, showing boundaries of land districts.

A general Index plat to recorded field notes.

A general index plat to recorded township plats, and descriptive notes.

A small map of Indiana, by Samuel Morrison, (engraved).

Plat and description of U. S. Reserve at Fort Wayne.

Diagram of surveys in the Miami National Reserve.

Diagrams of sundry Indian reservations and grants.

Plats of "Canal lots," in Indian grants, ceded to State of Indiana at treaty of 1826.

Diagram of the State, showing the districts surveyed into townships, the names of contractors, and dates of contracts.

Diagram showing the districts subdivided into sections, the names of contractors, and dates of contracts.

Descriptive Notes.

Of all the towns east and west of 1st meridian, as hereinbefore enumerated.

Of all the township and frac. townships north and south of base

line, and east and west of 2d meridian, as heretofore enumerated.

Plats and descriptions by D. Sullivan, John McDonald, and others, (8 packages).

Records.

Recorded field notes of all the townships and frac. townships in Indiana, as before enumerated, contained in eighty-five bound volumes, as follows, viz :

Vols. 1, 2, 3, 4, west of 1st. meridian, and east of 1st meridian below the mouth of Great Miami river.

Vols. 1, 2, 3, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, north of base line, and west of the 2d meridian.

Vols. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, south of the base line, and west of the 2d meridian.

Vols. 1, 2, 3, and 4, south of the base line, and east of the 2d meridian.

Vols. 1 and 2 of township lines, as recorded under the old system, being separate from the subdivision lines.

One volume of miscellany, containing records of Indian boundaries, State lines, &c.; and also surveyed Indian reservations since ceded to the United States, with a plat of the State, showing boundaries and dates of Indian purchases.

Recapitulation.

North and east 2d meridian,	-	-	-	-	-	39 vols.
North and west 2d meridian,	-	-	-	-	-	24 vols.
South and west 2d meridian,	-	-	-	-	-	11 vols.
South and east 2d meridian,	-	-	-	-	-	4 vols.
West of 1st meridian	-	-	-	-	-	4 vols.
Town lines,	-	-	-	-	-	2 vols.
Miscellany,	-	-	-	-	-	1 vol.
Total,						85 vols.

Recorded plats and descriptive notes of all the townships and fractions of townships in Indiana, as hereinbefore enumerated, contained in eight large bound volumes, vol. 7 of which contains records of the plats of sundry Indian reservations and grants.

Miscellaneous.

Thirteen open port folios, containing township plats, plats of Indian reserves, grants, &c.

Ten open port folios, containing original descriptive notes.

Papers and diagrams respecting surveys around Clark's grant ; also old surveys in Jeffersonville and Vincennes districts.

Abstracts of lands sold at land offices in Indiana, in 6 large packages.

Sundry relinquishments, estimates, &c., in one package.

One box, containing large maps, plat, &c.

One box, containing abstracts of lands sold, &c.

Five portable, office eased, with handles, containing original field notes, maps, plats, papers, &c.; also all the bound volumes of records.

Mr. Murray moved to refer the communication to a select committee of three.

The Speaker appointed Messrs. Murray, Dougherty of Elkhart, and O'Haver said committee.

Mr. Niblack offered the following preamble and resolution :

WHEREAS, It has been held by several of the circuit courts of this State, that the laws passed at the sessions of the Legislature of said State in the years 1848 and 1849, giving to justices of the peace exclusive jurisdiction in many counties in certain criminal cases, are unconstitutional, being an attempt to abridge the right which every citizen possesses, that he shall not be held to answer to any criminal charge, except upon presentment or indictment, as provided by our State Constitution : Therefore,

Resolved, That the judiciary committee be instructed to inquire into the constitutionality of said laws, and if, in their opinion, said laws are unconstitutional, that they be further instructed to report a bill repealing said laws.

Which were adopted.

On motion by Mr. Russell,

Resolved, That the Trustees of the Wabash and Erie Canal be requested to communicate to this House, immediately, their reasons for not complying with sections 23, 24, 25, and 26 of the act, entitled "An act supplemental to an act to provide for the funded Debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved Jan. 27, 1847, which sections of said act were revived by an act, entitled "An act to extend the time for appraising certain lands belonging to the Wabash and Erie Canal," approved Feb. 15, 1848.

On motion by Mr. Rush,

Resolved, That the committee on roads be instructed to inquire into the expediency of so amending "an act to revise and consolidate the several acts of the General Assembly relative to public highways," approved January 16th, 1849, so as to make it the duty of all male inhabitants of each county in this State, over the age of twenty-one, and under the age of fifty years, except those who are exempt by law, to work on public roads and highways two

days in each year for personal privileges, and make it the duty of the several supervisors of each road district, to cause the said two days to be worked out on or before the first day of July in each year, with leave to report by bill or otherwise.

On motion by Mr. Chandler,

The vote on the resolution ordering the printing of 100 copies of the rules of the House, was reconsidered.

Mr. Brown of Shelby moved to amend the resolution by inserting "400 additional copies."

Which motion prevailed.

The resolution, as amended, was adopted.

On motion by Mr. Spencer,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of selling the rents and profits of the Northern Division of the Central Canal for a limited number of years, so as to relieve the State from its expenditures, and report by bill or otherwise.

On motion by Mr. Dougherty of Boone,

The order of business was suspended.

Mr. Dougherty of Boone, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred a joint resolution on the subject of the slave trade in the District of Columbia, have had the same under consideration, and directed me to report the same back to the House without, amendment, and recommend its passage.

No. 25. A joint resolution relative to the slave trade in the District of Columbia.

Mr. Butler moved to amend the joint resolution as follows :

To strike out section 2, and insert the following :

That our Senators in Congress be instructed, and our Representatives requested, to use their influence in favor of, and to vote for the abolition of slavery and the slave trade in the District of Columbia.

And strike out the words in 1st section: "by persons not residents and citizens thereof."

And the ayes and noes were demanded by Messrs Butler and Graves.

Before the Clerk commenced the call—

On motion by Mr. Salter,

The House adjourned till 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

The Speaker laid before the House the following communication from the Treasurer of State :

STATE TREASURER'S OFFICE,
Indianapolis, December 12th, 1849.

HON. GEORGE W. CARR,

Speaker of the House of Representatives :

In answer to a resolution of the House adopted on yesterday, requiring the Treasurer of State to inform the House why it is that the one thousand dollars for which the Georgia lands were sold, does not appear in his (the Treasurer's) annual report, I have the honor to reply :

That there is no official information on file in this office, showing that the Georgia lands have been sold, nor has any money been received in the treasury on that account. Whenever payments are made at the Treasury, receipts are passed, and the amount appears posted to the proper account, in the annual reports of the Auditor and Treasurer.

The proceeds of the sale of the Georgia lands, when paid into the Treasury, will appear in the suspended debt account.

I am, very respectfully,

Your obedient servant,

SAMUEL HANNAH,

Treasurer of State.

On motion by Mr. Prather,
The communication was laid on the table.

SPECIAL ORDER OF THE DAY.

House bill,

No. 2. A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations,

Being the special order of the day.

On motion by Mr. Cravens,

The consideration of the bill was postponed until to-morrow morning, and made the special order of the day for 10 o'clock, in committee of the whole House.

On motion by Mr. Cravens,

The House adjourned to meet to-morrow at 9 o'clock, A. M.

THURSDAY MORNING, 9 O'CLOCK, December 13, 1849.

House met pursuant to adjournment.

The journal of the preceding day was read.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled :

No. 44. An act to change the name of Reastine Cox ;

No. 4. An act to authorize the Board of Commissioners of Howard county to borrow money ;

No. 73. An act to amend an act entitled "an act to incorporate the Lafayette Insurance Company," approved February 8, 1836 ;

Whereupon,

The Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hicks moved to suspend the rules and take up the message from the Senate, containing Senate bill,

No. 77. A bill to amend the charter of the Columbus, Nashville, and Bloomington Railroad Company ;

Which motion did not prevail.

PETITIONS, &C., PRESENTED.

By Mr. Edwards,

The petition of citizens of the counties of Vigo and Clay, for a road ;

Which was referred to a select committee, consisting of Messrs. Edwards, Burnet, and Yocum.

By Mr. Niblack,

The petition of the grand jury of Martin county, relative to the mode of summoning petit jurors in said county ;

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Niblack,

The petition of Lyman G. Austin, and others ;

Which,

On motion,

Was referred to the committee on the judiciary.

On motion by Mr. Niblack,

The vote on referring the petition of the grand jury of Martin county was reconsidered.

The question being on referring, the bill to the committee on the judiciary, was decided in the negative.

Mr. Niblack moved to refer the petition to a select committee.

Which motion prevailed.

The Speaker appointed Messrs. Niblack, Goodwin, and Spencer, said committee.

By Mr. May,

The petition of citizens of Steuben county, praying for a change in the law, relative to the publication of the Delinquent List, for the non-payment of taxes ;

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Conaway,

The petition of certain citizens of Jackson township, Dearborn county, praying for the incorporation of the "German Evangelical Lutheran St. John's Church," in said township ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Conaway, Watkins, and Cleaver.

By Mr. Lank,

The remonstrance of citizens of Randolph county, against the repeal of the law, giving justices of the peace original exclusive jurisdiction of certain offences ;

Which,

On motion,

Was referred to the committee to whom was referred a petition on the same subject.

By Mr. Millikin,

The petition of females and minors over fourteen years of age, residing in Kankakee and Wills townships, Laporte county, praying for the repeal of all laws granting license for the retail of spirituous liquors, except for medical, chemical, and sacramental purposes ;

Which,

On motion,

Was referred to the select committee of one from each judicial circuit, on the subject of temperance memorials.

By Mr. Huey,

The petition of citizens of Jay county, on the subject of the school law ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Huey, Mickle, and Bird.

By Mr. Carnahan of Fountain,

The memorial of the President and officers of the Colonization Society at Covington, asking an appropriation of money for the benefit of Wm. W. Findley ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Carnahan of Fountain, Brown of Shelby, and Butler.

By Mr. Carnahan of Fountain,

The memorial of William W. Findley ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Carnahan of F., Brown of Shelby and Butler.

The Speaker laid before the House the following communication from the Auditor of State :

STATE AUDITOR'S OFFICE, {
December 12, 1849. }

HON. GEORGE W. CARR,

Speaker of the House of Representatives :

Sir:—The resolution of the House, directing me to furnish the House of Representatives with a full and complete list of the lands selected for the completion of the Wabash and Erie Canal west of Tippecanoe, (except those in the Vincennes Land District,) and also a full and complete list of such of said lands as have been re-appraised under the provisions of the 24th section of the act supplementary to an act to provide for the funded debt of the State of Indiana, &c., together with the prices at which the same have been re-appraised, is just received.

To the resolution I respectfully reply, that to furnish a copy of the lists of lands referred to, even if I had nothing else to do, would require so much time as to render the service of no use to the present General Assembly. I would therefore suggest that the books in the office, giving the desired information, can be examined by any member or committee of the House of Representatives at the office, or if desired, they may be taken to the House, or a committee room. Trusting that this will answer all purposes desired,

I am, very respectfully, your obedient servant,

D. MAGUIRE, *Auditor of State.*

Mr. Brown of Shelby, moved to lay the communication on the table ;

Which motion prevailed.

The hour having arrived—

The House went into the committee of the whole, on House bill,

No. 2, "A bill for the more effectual, just, and equal, assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations." Mr. Edwards in the chairs. After remaining in session some time, the committee rose and made following report, through Mr. Edwards, their chairman :

MR. SPEAKER :

The committee of the whole House, to whom was referred bill of the House, No., 2, entitled "A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations," have had the same under consideration and have directed me to report that they have made progress and ask leave to sit again.

On motion by Mr. Niblack,
The House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

House met.

The Speaker laid before the House the following communication, from the Auditor and Treasurer of State :

AUDITOR AND TREASURER'S OFFICE, }
December 10, 1849. }

HON. G. W. CARR,

Speaker of the House of Representatives :

Sir :—The resolution of the House of Representatives, of yesterday's date, requesting us to report to the House, whether a settlement had been made with the Trustees of the Wabash and Erie Canal, of the amount outstanding of Wabash and Erie Canal scrip east and west of Tippecanoe, has been received, and we reply as follows :

Early in May last, Col. Blake, one of the Trustees of the Wabash and Erie Canal, accompanied by several gentlemen connected with the canal, met at Indianapolis, for the purpose of investigating the scrip account as directed by the joint resolution, approved January 16, 1849. By the investigation, the account of the Wabash and Erie Canal scrip east, was found to be exactly as the Auditor of State had reported to the last General Assembly, (leaving still

outstanding, the sum of \$25,171 21,) except that by an examination of old reports, made to the Board of Internal improvements, and the Fund Commissioners, we found an entry of \$11,824 10 of scrip returned to the Fund Commissioners by Jesse L. Williams, then General Superintendent of the Wabash and Erie Canal. If that amount should rightfully be deducted from the amount which appeared to be outstanding, there would be remaining, only \$13,-347 17. It is, however, by no means certain that the \$11,824 10 referred to, should be deducted. It may have constituted a portion of some of the amounts for which warrants were issued, and in that case, would already have been included in the cancellations; or it may have been a part of the original manuscript certificates which were taken up by the Commissioner, and engraved scrip given in their place. The books show the following issues of scrip, viz:

By the Auditor and Treasurer, from No. 1 to No. 61,262, beginning May 7, 1842, and ending Feb. 1846,	-	-	-	-	-	-	-	\$306,310	00
By J. L. Williams, from No. 1 to No. 7,097, (being a separate issue from the above,)	-	-	-	-	-	-	-	82,198	01
By S. Fisher, from No. 7,098 to No. 7,214,	-	-	-	-	-	-	-	7,711	01
Total issues,	-	-	-	-	-	-	-	\$396,219	05
The amount cancelled as shown by the books, is	-	-	-	-	-	-	-	\$345,824	83
Amount in Treasury, about	-	-	-	-	-	-	-	25,223	01
								\$371,047	84
Leaving outstanding, (except what may be in the hands of the Trustees,)	-	-	-	-	-	-	-	\$25,172	21

to admit the entry of the \$25,172 21 above mentioned, as outstanding.

At the period of the investigation above mentioned, the Auditor, at the request of Col. Blake, gave a statement corresponding with the above, mentioning also, the fact of the discovery of an entry showing the return by Mr. Williams, to the fund commissioners, of \$11,824 10, as above stated, which it was thought might probably be deducted from the amount reported to be outstanding. That probability was increased by the confident statement of some of those present, that the amount of scrip outstanding, could not exceed \$10,000. It was even hoped that enough might be found wanting, to account for the loss sustained by George H. Dunn, former Treasurer. We have no information of the amount redeemed by the Trustees, since their last payment to the treasury, (in Jan., 1849,) but the more we reflect upon the subject, the more we are satisfied that it is not safe to rely on any thing in determining the amount of scrip in circulation, except the receipts and warrants and Registers.

The foregoing information is given substantially, in the annual report of the Auditor of State, from page 45 to 47, inclusive, to which we respectfully refer for a more detailed account.

There is no difficulty, we believe, in relation to Wabash and Erie Canal scrip west. The account of that will be found in the Auditor's report, page 47.

In conclusion, we will remark, that we have always afforded every possible facility for the investigation of this subject. The information given now and heretofore, has been such as we could gather from the books and papers in the offices, as they were handed over to us. There has been no scrip of either kind, issued by us, nor have we had any thing at all to do with it, except that the Treasurer has received it into the treasury at different times, for which he has always given his receipts, thus charging himself with every dollar that has been received by him, and afterwards it has been entered on each of our Registers, preparatory to cancellation by the committee of ways and means, by whom it has been burnt and the amounts certified to the Auditor, upon which warrants have been issued to the Treasurer, thus crediting him with so much as is destroyed.

With much respect,

Your obedient servants,

D. MAGUIRE, *Auditor of State.*

SAM. HANNAH, *Treasurer of State.*

On motion by Mr. Cole,

The communication was referred to a select committee of three. The Speaker appointed Messrs. Cole, Murray, and Huey said committee.

On motion by Mr. Lane,

The House resolved itself into the committee of the whole on

House bill No. 2, "a bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations," Mr. Edwards in the chair.

After some time spent in the consideration of the same, the committee rose and made the following report, through Mr. Edwards, their chairman :

MR. SPEAKER :

The committee of the whole House, to whom was referred bill of the House No. 2, entitled "a bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations," have had the same under consideration, and have directed me to report that they have made sundry amendments thereto, in which the concurrence of the House is respectfully requested.

On motion,

It was ordered that the House concur in the amendments separately :

On motion by Mr. Murray,

The House adjourned to meet to-morrow morning at 9 o'clock.

FRIDAY MORNING, 9 o'clock, DECEMBER 14th.

The House met pursuant to adjournment.

The journal of the preceding day was read.

PETITIONS, &C., PRESENTED.

By Mr. Cotton,

The temperance memorial of citizens of Huntington county ;
Which,

On motion,

Was referred to the select committee of one from each judicial circuit, on the subject of temperance memorials.

By Mr. Hunter,

The petition of certain officers of State and citizens of Indianapolis, on the subject of making an appropriation for the Fire Department, in order to more effectually secure the property belonging to the State from loss by fire ;

Which was referred to the committee on the affairs of the town of Indianapolis.

By Mr. Chandler,

The petition of J. Mitchell, Agent of the American Colonization Society ;

Which,

On motion,

Was referred to the committee on benevolent and scientific institutions.

By Mr. Warriner,

The temperance memorial of citizens of Porter county ;

Which,

On motion,

Was referred to the select committee of one from each judicial circuit, on the subject of temperance memorials.

REPORTS FROM COMMITTEES.

Mr. Chandler, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred the resolution of the House, instructing them to inquire into the expediency of passing a law prohibiting boards doing county business from subscribing stock in works of internal improvement, have instructed me to report the following bill and recommend its passage :

No. 132. A bill to repeal the 61st section of an act therein named ;

Which was read a first time and passed to a second reading.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred the petition of E. Martin and others, of the county of Elkhart, praying the passage of a law compelling peddlars to first obtain a license before they shall be permitted to sell their articles of trade, or to prohibit entirely all retail peddlars from exercising such trade, have had the same under consideration, and have directed me to report that there has been a bill introduced the present session embracing the object prayed for in said petition, and, therefore, the committee ask to be discharged from the further consideration of said resolution.

Which report was concurred in.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred the resolution requiring said committee to inquire into the expediency of paying jurors in probate courts the same fees as is allowed to jurors in circuit courts, and also inquire whether all or any other expense incident to the settlement of estates in probate courts ought not to be lessened, have had the same under consideration, and have instructed me to report that there has already been a bill reported by said judiciary committee allowing the same fees to jurors in probate courts as are allowed to jurors in circuit courts, and that they consider it inexpedient to legislate on the subject of the second inquiry contained in said resolution at the present session.

Which was concurred in.

Mr. Brown of Shelby, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred a resolution of the House instructing them to inquire into the expediency of repealing the 70th section of the 4th article of chapter 7 of the Revised Statutes of 1843, and reviving the 18th section of the 2d article of chapter 4, in relation to county treasurers, have had that subject under consideration, and directed me to report that in the opinion of said committee it is inexpedient to legislate on that subject, and ask to be discharged from the further consideration of said resolution.

Which report was concurred in.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House, No. 13, entitled "An act in relation to witness fees," have had the same under consideration, and directed me to report it back amended by making its provisions general, pursuant to the instruction of the House.

Which amendment was concurred in.

Mr. Chandler moved to except the county of Warren from the provisions of the bill;

Which motion did not prevail.

Mr. Carnahan of F. moved to exempt the county of Fountain.

Mr. Lane moved to lay the bill and pending amendment on the table.

The ayes and noes being demanded by Messrs. Withers and Niblack,

Those who voted in the affirmative are,

Messrs. Allen, Alley, Athon, Barker, Byers, Carnahan of F., Chandler, Cole, Cravens, Defrees, Dougherty of E., Ellis, Goodwin, Graves, Greathouse, Harney, Hicks, Holcomb, Johnson, Keeney, Landiss, Lane, Leviston, Menaugh, Miller of M., Morrison, Murray, Niblack, Richardson, Robinson of D., Salter, Shelby, Shepard, Sherrod, Tinbrook, Weaver, Weir, Withers, Wright, and Yocum—40.

Those who voted in the negative are,

Messrs. Beard, Bird, Bowen, Brown of R., Brown of S., Burnet, Butler, Caldwell, Carnahan of P., Cleaver, Conaway, Conner, Cotton, Delavan, Dodd, Dougherty of B., Edwards, Elder, Essex, Farnesly, Gentry, Gessie, Hart, Harvey, Hill, Hillis, Huey, Humphreys, Hunter, Knowlton, Lank, May, Mickle, Miller of O., Millikin, O'Haver, O'Neal, Orr, Patterson, Prather, Reed, Robinson of L., Ross, Rush, Russell, Spencer, Stewart, Stone, Stoops, Summers, Thom, Thomas, Warriner, Wells, Wilson, Whinery, and Mr. Speaker—57.

So the bill and amendments were not laid on the table.

Mr. Carnahan of F. withdrew his amendment, by consent of the House.

Mr. Mickle offered the following amendment:

Amend by striking out "one dollar" and inserting "fifty cents, and five cents per mile for every mile that they shall necessarily travel in going to said court."

Mr. Spencer moved to amend the amendment by adding the following:

"In all cases witnesses shall be allowed \$1 00 per day while in actual attendance on the circuit court, to be paid by the county in case the State fails in the prosecution, and otherwise by the defendant."

Which motion did not prevail.

Mr. Lane moved to amend the amendment by striking out "five cents" and inserting "four cents," where it referred to mileage.

Which motion did not prevail.

Mr. Knowlton moved to amend the amendment by striking out "five cents" and insert "three cents."

Which motion did not prevail.

Mr. Conner moved to amend the amendment by striking out "fifty cents" and inserting "seventy-five cents."

Mr. Wilson moved to recommit the bill to the committee on the the judiciary, with instructions to provide that the pay of witnesses be fixed at seventy-five cents per day, and five cents mileage from residence to the county seat.

Mr. Murray moved to amend by making the fees of witnesses in the courts of the county in which they live, seventy-five cents per day, and allow those summoned to attend out of their county, the sum, in addition to five cents per mile going to and returning from court.

Which motion did not prevail.

Mr. Holcomb moved to amend the instructions by adding the following :

"That witnesses shall receive fifty cents per day, and witnesses and jurors shall in all cases be allowed mileage at the rate of five cents per mile for every mile they may reside from the circuit court to which they are summoned to attend: *Provided*, That such mileage shall not be allowed to witnesses summoned out of their own counties."

Mr. Chandler called for the division of the question.

The question then recurring on committing,

It was decided in the negative.

Mr. Wilson moved the previous question ;

Which was not seconded by the House.

The question then recurring on the the amendment of Mr. Conner to the amendment of Mr. Mickle,

Was decided in the negative.

The question then recurring on the amendment of Mr. Mickle,

Mr. Dougherty of Boone moved to amend the amendment by striking out "five cents" and inserting "eight cents ;"

Which motion did not prevail.

Mr. Hill moved to amend the amendment by adding, after the words "going to," the words "and returning from ;"

Which motion did not prevail.

Mr. Wilson moved to recommit the bill and pending amendment to a select committee, with instructions to allow witnesses before justices of the peace the same compensation as allowed witnesses in the circuit court ;

Which motion did not prevail.

The question then recurring on the amendment of Mr. Mickle ;

The ayes and noes being demanded by Messrs. Goodwin and Wells,

Those who voted in the affirmative are,

Messrs. Allen, Alley, Barker, Beard, Bird, Brown of Shelby, Burnett, Butler, Byers, Caldwell, Campbell, Carnahan of Fountain,

Chandler, Cleaver, Cole, Conaway, Connor, Cotton, Cravens, De-frees, Delavan, Dougherty of Boone, Dougherty of Elkhart, Ed-wards, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Goodwin, Graves, Harney, Hart, Harvey, Hicks, Hill, Holcomb, Huey, Hum-phreys, Hunter, Johnson, Keeney, Knowlton, Lane, Leviston, May, Menaugh, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikin, Morrison, Murray, O'Haver, O'Neal, Orr, Patterson, Pra-ther, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Robson, Ross, Rush, Russell, Salter, Shelby, Shepard, Sherrod, Spencer, Stewart, Stone, Stoops, Summers, Thom, Thomas, Tin-brook, Warriner, Watkins, Weaver, Wells, Weir, Whinery, Yocum, and Mr. Speaker—87.

Those who voted in the negative are,

Messrs. Athon, Bowen, Carnahan of Posey, Dodd, Greathouse, Hillis, Lank, Niblack, Wilson, and Withers—10.

So the amendment was adopted.

Mr. Robinson of Decatur moved to amend by adding the follow- ing proviso :

Provided, That mileage shall not be allowed to witnesses for at- tending as such in any case now pending in the circuit courts.

Which was not adopted.

Mr. Goodwin moved to amend by adding the following :

“That witnesses in all State cases, where the State fails to con- vict the defendant, shall receive out of the State Treasury the same fees as allowed in other suits in circuit courts.”

Which was not adopted.

Mr. Chandler moved to reconsider the vote on the instructions al- lowing the same compensation and mileage to witnesses before jus- tices of the peace as is allowed to witnesses before the Circuit Courts.

Which motion did not prevail.

Mr. Niblack offered the following amendment :

Provided, That mileage shall not be allowed to witnesses who reside within seven miles of the place of holding courts.”

Mr. Mickle called the previous question,

Which was seconded by the House.

The question then being, “shall the main question be now put ?” was decided in the affirmative.

The question then recurring on the main question, which was “shall the bill be engrossed?” was decided in the affirmative.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred a resolution of the House instructing said committee to inquire into the expediency of abolishing the present probate system, and establishing in lieu thereof courts of common pleas in the several counties in this state, having considered the subject, said committee have directed me to report, that notwithstanding they are fully impressed with the many objections to the present probate system, among the most prominent of which is the too frequent want of legal attainments on the part of the judges ; this defect is found in, and will continue as long as the system. The committee have no doubt that courts of common pleas may be established on such plan as will secure competent judges, without increased demands upon the treasury, but in view of the change contemplated in the organic law of the State, it is deemed inexpedient to legislate on that subject at this time, and the committee ask to be discharged from the further consideration of said resolution.

Which report was concurred in.

Mr. May, chairman of the committee on education, made the following report .

MR. SPEAKER :

The committee on education, in obedience to a resolution of the House, instructing them to inquire into the necessity of changing the provision of sections 11 and 19, of the act to extend the benefits of common schools, so as to entitle congressional townships to a distributive share of the school fund, though the report required by the 11th section of said act be not made on or before the 1st day of October annually, beg leave to report that they have had under consideration the matter referred to them by said resolution, and are of opinion that no change is required in said sections referred to in said resolution ; they therefore ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. May, chairman of the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to which was referred bill No. 62, for an act to prevent the forfeiture of school lands, beg leave to report that they have examined the provisions of the said bill, and after such examination, are of the opinion that the passage of the

same at the present time is unnecessary, and would be inexpedient; they therefore recommend the indefinite postponement of the same.

Which report was concurred in.

Mr. Thom, from the committee on education, made the following report:

MR. SPEAKER :

The committee on education, to whom was referred House bill No. 126, entitled "an act to amend an act for the benefit of common schools," have had the same under consideration and have directed me to report that they deem it inexpedient to pass the bill; they therefore recommend its indefinite postponement, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. May, chairman of the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to whom was referred the petition of Peter Helphinston, asking relief in the matter of his forfeited purchase of 40 acres of school land on section 16, township 1 north, range 5 west, beg leave to report that they have had the same under consideration, and are of opinion that the principle which would justify a grant to the petitioner of the relief prayed for, would authorize a grant of relief in nearly every instance of forfeited purchase of school lands. The committee are, therefore, of the opinion that the relief sought for ought not to be granted, and they respectfully ask to be discharged from the further consideration of the subject matter.

Which report was concurred in.

Mr. May, chairman of the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to whom was referred the petition of James McCullough, and others, citizens of township 17 north of range 13 east, asking for an exemption from the enactments of the school law of 1848-9, beg leave to make the following report :

That while it is unquestionably desirable that no large body of citizens should be subject to any laws repugnant to their wishes, yet it is an inevitable consequence flowing from the right of the majority to govern, that there will always exist a dissatisfied minority. This minority will exist as certainly under the school laws as under

our other statutes. The parties petitioning are, therefore, in no other than the usual situation of minorities, and the same principle which would require relief to be extended to the petitioners, would require it to be extended to all other minorities. Such an extension would evidently soon subvert order in any government.

This committee are, therefore, of opinion, that the prayer of the petitioners ought not to be granted, and they ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Caldwell, from the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to whom was referred a resolution of the House to inquire into the expediency of consolidating all laws in this State, relative to schools, into one volume, have had the same under consideration, and directed me to report that they deem it inexpedient to legislate upon this subject.

Which report was concurred in.

Mr. Caldwell, from the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to whom was referred a resolution of the House, instructing said committee to inquire into the expediency of abolishing the office of township trustees, and transferring the duties of the same to the county auditors and treasurers, have had the same under consideration, and have directed me to report that they deem it inexpedient to legislate upon the subject.

Which report was concurred in.

Mr. Athon, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred the petition of Ann Blytheston, have had the same under consideration, and direct me to report it back to the House and recommend its reference to the committee on the judiciary, and ask to be discharged from the further consideration of the subject.

Which report was concurred in, and the petition so referred.

Mr. Athon, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred the petition of William Moore, John Pence, and others, of the county of Fulton, have had the same under consideration, and have instructed me to report it inexpedient to legislate upon the subject, and ask to be discharged.

On motion by Mr. Miller of Marshall and Fulton,

The report was laid on the table.

The reports of select committees being in order, the House proceeded to consideration of No. 25, "a joint resolution relative to the slave trade in the district of Columbia," which had been reported back to the House from a select committee.

The question pending being on the amendment offered by Mr. Butler—

The ayes and noes having been demanded by Messrs. Butler and Graves—

Mr. Dougherty of Boone moved the previous question ;

The ayes and noes being demanded by Messrs. Butler and Graves,

Those who voted in the affirmative are,

Messrs. Alley, Athon, Barker, Brown of Shelby, Burnet, Byers, Caldwell, Carnahan of Posey, Conaway, Connor, Cotton, Cravens, Delavan, Dougherty of Boone, Dougherty of Elkhart, Edwards, Ellis, Essex, Farnesly, Gentry, Gessie, Goodwin, Greathouse, Harney, Hart, Harvey, Hicks, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Landiss, Menaugh, Morrison, Niblack, O'Haver, Richardson, Reed, Robson, Ross, Rush, Salter, Sherrod, Spencer, Stoops, Thomas, Tinbrook, Warriner, Weaver, Wilson, Withers, Yocum, and Mr. Speaker—55.

Those who voted in the negative are,

Messrs. Beard, Bowen, Brown of Randolph, Butler, Campbell, Carnahan of Fountain, Chandler, Cleaver, Cole, Defrees, Dodd, Elder, Graves, Hill, Hillis, Knowlton, Lane, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikin, Murray, O'Neal, Orr, Patterson, Prather, Robinson of Decatur, Robinson of Laporte, Russell, Stewart, Stone, Summers, Thom, Wells, Weir, and Whinery—39.

So the previous question was seconded by the House.

The question then being, "shall the main question be now put?"

Was decided in the affirmative.

The question then recurring on the main question, which was, "Shall the joint resolution be engrossed?"

The ayes and noes being demanded by Messrs. Lane and Whinery :

Those who voted in the affirmative are,

Messrs. Allen, Beard, Bowen, Brown of Randolph, Burnet, Butler, Byers, Campbell, Carnahan of Fountain, Chandler, Cole, Connor, Cotton, Defrees, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Elder, Ellis, Gessie, Goodwin, Graves, Harney, Hart, Harvey, Hill, Hillis, Huey, Keeney, Knowlton, Lane, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Millikin, Morrison, Murray, O'Neal, Orr, Patterson, Prather, Robinson of Decatur, Robinson of Laporte, Robson, Ross, Rush, Russell, Salter, Shelby, Spencer, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Wariner, Weaver, Wilson, and Whinery—62.

Those who voted in the negative are,

Messrs. Alley, Athon, Barker, Bird, Brown of Shelby, Caldwell, Carnahan of Posey, Cleaver, Conaway, Cravens, Edwards, Essex, Farnesly, Gentry, Greathouse, Hicks, Humphreys, Hunter, Johnson, Landiss, Menaugh, Niblack, O'Haver, Reed, Richardson, Ross, Shepard, Sherrod, Thomas, Wells, Weir, Withers, Yocum, and Mr. Speaker—34.

So the joint resolution was ordered to be engrossed.

Mr. Lane moved to suspend the rules and read the joint resolution a third time.

Which motion did not prevail.

Mr. Murray, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred the communication of his Excellency the Governor, notifying the House of the reception of the maps and field notes of surveys of United States land in the State of Indiana, beg leave to report that they understand that a similar communication was made to the Senate, which was referred to the joint standing committee on the State Library, and the committee believing that that committee is the appropriate one, ask to be discharged from the further consideration of the subject. and that it be referred to the joint committee on the State Library.

Which report was concurred in.

Mr. Menaugh, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred House bill No. 19, fixing the time of holding courts in the second judicial circuit, and also the petitions upon the subject from the different counties of that circuit, have had the same under consideration, and instructed me to report the bill back to the House with the following amendment, and after the adoption of which, they respectfully recommend its passage :

“Amended so that said court shall sit in the county of Harrison, on the second Monday in April and May, sit two weeks if business require, and the county of Floyd shall commence its sessions on the fourth Monday in April.”

Which amendment was concurred in.

The bill as amended, was ordered to be engrossed.

On motion by Mr. Menaugh,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

-Mr. Weaver, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred the petition of the stockholders of the Spring Creek and Tippecanoe Bridge Company, and citizens of Carroll and White counties, have had the same under consideration, and direct me to report the accompanying bill, and recommend its passage :

No. 133. A bill to incorporate the Spring Creek and Tippecanoe Bridge Company ;

Which was read a first time and passed to a second reading.

Mr. Mickle, from a select committee, made the following report :

MR. SPEAKER :

The select to whom was referred sundry petitions of the citizens of the county of Adams, praying for a relocation of the county seat of said county, have, according to order, had that subject under consideration, and, after due deliberation had, have directed me to report that the committee fully recognize the doctrine contained in said petition, to-wit : that public justice requires that a majority should always rule ; the committee have therefore directed me to report the following bill, and respectfully ask its passage :

No. 134. A bill to authorize the citizens of Adams county to vote for or against the relocation of the county seat of said county.

Which was read a first time and passed to a second reading.

Mr. Greathouse, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens Vanderburgh county, praying for an increase in the pay of the probate judge, have instructed me to report the following bill and recommend its passage :

No. 135. A bill regulating the pay of the probate judge of Vanderburgh county.

Which was read a first time and passed to a second reading.

On motion by Mr. Niblack,
The House adjourned.

Two o'clock, P. M.

The House met.

Mr. Knowlton offered the following preamble and resolution :

WHEREAS, Difficulties have arisen as to the true construction of section 8 of an act to increase and extend the benefit of common schools, approved January 17, 1849 ; therefore,

Resolved, That the committee on education be instructed to inquire what legislation, if any, is necessary for the full understanding of said section.

Which was adopted.

On motion by Mr. Richardson,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the law as to make administrators competent witnesses in suits for the estate they represent.

On motion by Mr. Chandler,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the reason why those persons who rented the water on the Northern Division of the Central do not pay their rents, and whether any legislation is necessary to compel them to pay their rents, and also whether there is no plan can be adopted so as to make said canal pay its own expenses and pay a revenue, and to report by bill or otherwise.

Mr. Holcomb offered the following resolution :

Resolved, That the committee on benevolent and scientific institutions be instructed to inquire into the propriety of protecting the profession of physicians against quackery, and the community generally against impostors and extortion, by enacting a law that no person shall collect fees for services rendered as a physician, unless said person can produce a diploma, or a certificate of his qualifications to practice medicine, obtained from a board of physicians ; and by fixing the rate of mileage that shall be lawful for physicians to collect for their travelling services ; also, requiring every person who shall be engaged in manufacturing or vending any patent medicine, to give a recipe whenever called on, showing the ingredients of said patent medicine ; and if, in the opinion of said committee, such an act is necessary, they report a bill.

Mr. Edwards moved to lay the resolution on the table ;
Which motion prevailed.

On motion by Mr. Cole,

Resolved, That the committee on education be instructed to inquire into the expediency of so amending the 7th section of an act to increase and extend the benefits of common schools, approved January 17, 1849, to provide for the appropriation and distribution of the tax levied under said act to the schools in the township in which such tax is collected, and to report by bill or otherwise.

On motion by Mr. Well,

Resolved, That the door-keeper be instructed to procure from the State Librarian, the depositions of Cain Dockery and others, presented to this House at its last session.

On motion by Mr. Goodwin,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so changing the present law, as to give the right to delinquents twelve months to redeem personal property sold for the non-payment of taxes, by paying twenty-five per cent. to the purchaser.

Mr. Hill offered the following resolution :

Resolved, That the judiciary committee be instructed to inquire into the expediency of adopting a set of trust laws, with a view of superceding our present mortgage laws, with leave to report by bill or otherwise.

Which was not adopted.

BILLS, &C., INTRODUCED.

By Mr. Hicks,

No. 136. A joint resolution in relation to publishing an act therein named ;

By Mr. Harney,

No. 137. A joint resolution on the subject of the United States surrendering state bonds ;

By Mr. Ross,

No. 138. A joint resolution in relation to the White Water Valley Canal ;

By Mr. Carnahan of Fountain,

No. 139. A joint resolution on the subject of the African slave trade ;

Which were severally read a first time and ordered to a second reading.

By Mr. Carnahan of Posey,

No. 140. A joint resolution in relation to the cession by the state of Maryland to the District of Columbia ;

Which was read a first time and ordered to a second reading.

Mr. Chandler moved to take from the table

No. 9. A joint resolution in relation to the extension of slavery.

Which motion prevailed.

Mr. Chandler moved to take from the table

No. 27. A joint resolution in favor of annexing Canada to the United States ;

Which motion did not prevail.

By Mr. Murray,

No. 141. A joint resolution in reference to establishing diplomatic relations with the republic of Liberia ;

Which was read a first time and passed to a second reading.

By Mr. Gessie,

No. 142. A bill granting the right of way through the county of Vermillion to the Danville and Georgetown Plank Road Company ;

Which was read a first time.

On motion by Mr. Gesie,

The rules were suspended, the bill read a second time, and

On motion by Mr. Gessie

The bill was then referred to a select committee, consisting of Messrs. Gessie, Edwards, and O'Neal.

By Mr. Hunter,

No. 143. A bill to incorporate the Independent Relief Fire Company :

By Mr. Defrees,

No. 144. A bill to amend an act entitled "an act to incorporate the Buffalo and Mississippi Railroad Company," approved February 6th, 1835, and the several acts amendatory thereto ;

By Mr. Cotton,

No. 145. A bill in relation to advertising forfeited lands mortgaged to the sinking fund.

Which were severally read a first time and ordered to a second reading.

Mr. Defrees moved to suspend the order of business.

Which motion prevailed.

On motion by Mr. Defrees,

The rules were suspended, and

No. 144. A bill to amend an act entitled "an act to incorporate the Buffalo and Mississippi Railroad Company," approved February 6th, 1835, and the several acts amendatory thereto ;

Was read a second time and ordered to be engrossed.

By Mr. Sherrod,

No. 146. A bill to provide for the election of a prosecuting attorney in the 2d judicial circuit ;

Which was read a first time.

On motion by Mr. Sherrod,

The rules were suspended, and the bill read a second time.

Mr. Gentry moved to refer the bill to a select committee of one from each county in the 2d judicial circuit.

Mr. Prather moved to refer the bill to the committee on the judiciary.

Which motion did not prevail.

The question recurring on the motion by Mr. Gentry,

It was decided in the affirmative.

The Speaker then appointed Messrs. Sherrod, Menaugh, Wilson, Farnesly, Athon, Morrison, and Wells, said committee.

By Mr. Conaway,

No. 147. A bill to amend an act entitled "an act to grant the citizens of the town of Aurora, in the county of Dearborn, a city charter," approved February 14th, 1848 ;

By Mr. Cotton,

No. 148. A bill to extend the provisions of an act therein named to the counties of Huntington and Whitley ;

By Mr. Goodwin,

No. 149. A bill to change the mode of paying inspectors, judges, and clerks of elections ;

Which were severally read a first time, and ordered to a second reading.

By Mr. Bowen,

No. 150. A bill to exempt Olive Branch Church, in Jefferson county, from payment of state and county tax on five acres of ground ;

By Mr. Johnson,

No. 151. A bill regulating clerk's fees of probate courts in the State of Indiana ;

By Mr. Cleaver,

No. 152. A bill in relation to probate records ;

Which were severally read a first time, and passed to a second reading.

By Mr. Thom,

No. 153. A bill to amend sec. 141, of chap. 35, of the Revised Laws of 1843, relating to the duties of overseers of the poor ;

Which was read a first time.

On motion by Mr. Thom,

The rule was suspended and the bill read a second time.

Mr. Spencer moved to suspend the rule ;

Which motion did not prevail.

Mr. Mickle moved to refer the bill to the committee on education ;

Which motion prevailed.

By Mr. O'Neal,

No. 154. A bill to amend an act entitled, "an act authorizing the construction of plank roads ;"

Which was read a first time, and passed to a second reading.

Mr. Chandler moved to re-consider the vote on the indefinite postponement of House bill No. 62 ;

Which motion prevailed.

The question then being,

On the indefinite postponement of the bill ;

Was decided in the negative.

On motion by Mr. Chandler,

House bill,

No. 62. A bill to prevent the forfeiture of school lands ;

Was referred to a select committee consisting of

Messrs. Chandler, Watkins, and Ross.

By Mr. Brown of Randolph,

No. 155. A bill to amend an act providing for the selection of grand and petit jurors.

By Mr. O'Neal,

No. 156. A bill amending an act therein named ;

Which was read a first time, and passed to a second reading.

Mr. Hicks moved to suspend the order of business, and take up a message from the Senate ;

Which motion did not prevail.

By Mr. Humphreys,

No. 157. A bill to amend section 100 of chapter 12 of the revised statutes of 1843.

By Mr. Hunter,

No. 158. A bill to provide for the trial of criminal cases in Marion county.

By Mr. Cole,

No. 159. A bill to locate a State road in the counties of Miami and Wabash.

By Mr. Johnson,

No. 160. A bill to amend an act entitled "an act to revise and consolidate the several acts of the General Assembly, relative to laying out, opening, repairing, changing, and vacating public highways, and to the erection and repair of bridges, and to amend the same," approved January 16, 1849.

By Mr. Dodd,

No. 161. A bill to reduce the number of township trustees in the county of Grant.

Which were each read a first time and passed to a second reading.

ORDERS OF THE DAY.

The report of the committee of the whole on House bill No. 2, "a bill for a more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations," came up for consideration.

The question being,

On concurring in the amendments of the committee—

Amendment to the first section :

Insert after the word "April," in the 4th line, the words "or at the annual spring township elections ;

The question then being on concurring,

Was decided in the affirmative.

Amendment to the second section :

Add after the word "required" the words "and also a copy of this act ;"

The question then being on concurring,

Was decided in the affirmative.

Amendment to the third section :

Add after the words "preserved," in the 12th line, add "and for any breach of the conditions of said bond, suit, or suits may be instituted thereon in the proper circuit court of the county, in the name of the State, on the relation of any person interested, or of the proper county Auditor ;"

The question being on concurring,

Was decided in the affirmative.

Amendment to the fourth section ;

Insert after the word "Auditor," in the 4th line, the following, "or other persons performing the duties of county Auditor ;"

The question being on concurring,

Was decided in the affirmative.

Amendment to the fifth section :

At the end of section add the words "and shall be subject to removal from office by the county Board ;"

The question being on concurring,

Was decided in the affirmative.

Amendments to sixth section :

Fill the first blank with "first," and the second with "May."

After the word "list," in the fifth line, add the words "all property owned by the person or persons being listed, on the first day of March of each year."

The question being on concurring,
It was decided in the negative.

Mr. Graves moved to fill up the blank with the "first day of January."

Which motion prevailed.

Amendments to section 7 :

Strike out, and insert the following :

Sec. 7. Such statement shall be made out by the person assessed or by the assessor, from the information given by the person, and shall be signed by the person making it, verified by his or her oath or affirmation, to the best of his or her knowledge and belief, as a full and fair list of his or her property, and shall truly and distinctly set forth :

- 1st. The number of horses ;
- 2d. The number of cattle ;
- 3d. The number of sheep ;
- 4th. The number of hogs ;
- 5th. The number of mules and jack asses ;
- 6th. The number of carriages, wagons, coaches, hacks, and other articles ;
- 7th. The number of watches and clocks ;
- 8th. The number of piano fortes, and other musical instruments ;
- 9th. Silver plate ;
- 10th. Moneys on hand and at interest ;
- 11th. All other solvent claims exceeding the amount which such person may be indebted ;
- 12th. Of all household furniture, beds, bedding, &c. ;
- 13th. Of personal property appertaining to manufacturing ;
- 15th. Of improvements made upon real estate of at least one year's standing at time of said assessment, of personal property appertaining to merchandize. The capital stock of moneyed or stock corporations actually paid in, and all other personal property not enumerated in this act, except such property as is already exempt from taxation ; all of which property not so exempt shall be valued by the assessor at its fair value ; and the person assessed is authorized to deduct what he owes from the whole amount aforesaid, and he shall be liable to taxation for the balance he owes. The said assessor shall have full power to administer the oath or affirmation required by this section.

Mr. Lane moved to concur with the following amendment :

Add the words "the age of the person."

Which motion did not prevail.

Mr. Morrison moved to concur with the following amendment :

19th. The number of births and deaths in the family, designating the sex.

Which motion did not prevail.

Mr. Harney moved to concur with the following amendment :

Strike out the 11th line, and insert the following :

"All solvent claims, whether in this State or the United States :
Provided, Such claims shall not be taxed in any other State."

Which motion did not prevail.

The question then recurring on the amendment of the committee to the 7th section,

It was decided in the negative.

Mr. Salter offered the following amendment to section 7th :

After the word "claims," insert "not to include book accounts, and notes not given for moneys had and received."

Which was not adopted.

Mr. Hunter moved to amend the 7th section by striking out the words "and their value," wherever it may occur in said section."

Mr. Dodd moved to amend the amendment by adding "all of which property not so exempt, shall be valued by the assessor at its fair value."

Which amendment to the amendment was accepted by Mr. Hunter.

The question being on the adoption of the amendment of Mr. Hunter,

It was decided in the affirmative.

Mr. Hicks moved to amend the 7th section by striking out of the 3d line the words "verified by his or her oath or affirmation." Also strike out of the 27th line the words "and secured to be paid in."

Which was not adopted.

Mr. Withers moved to strike out the word "number," in the ninth line of the seventh section, and insert "hogs and their value."

Which motion did not prevail.

Mr. Chandler moved the add at the conclusion of the 7th section "and he shall deduct the amount of what he owes, from the amount of the value of his property, and he shall be liable to pay tax for the balance of which he owes ;

Which was adopted.

Mr. Chandler moved to add "asses" after "mules ;"

Which motion prevailed.

Mr. Shepard moved to amend by striking out the third line of 7th section.

Mr. Edwards moved to lay the amendment on the table ;
Which motion did not prevail.

Mr. Knowlton moved that the House adjourn ;
Which motion did not prevail.

Mr. Patterson moved to amend the amendment by striking out the word "shall," in the second line, and inserting "may be verified by oath or affirmation, as the Assessor may think proper and right ;"
Which motion did not prevail.

Mr. Withers moved to amend the amendment as follows :

"Such statement shall be made out by the Assessor, from the information given by the person or persons assessed and verified by his or her oath or affirmation, to the best of his or her knowledge and belief, as a full and fair list of his or her property, and shall truly and distinctly set forth ;"

Which was not adopted.

Mr. Chandler moved to amend the amendment :

Insert in lieu thereof "sworn to, and to its value, and the Assessor is hereby authorized to administer said oath or affirmation ;"

Which was not adopted.

Mr. Prather moved to amend the amendment by striking out "signed by the person making it ;"

Which motion did not prevail.

Mr. Carnahan of Fountain moved that the House adjourn ;
Which motion did not prevail.

The question then recurring on the amendment of Mr. Shepard ;
The ayes and noes being demanded by Messrs. Shepard and Delavan :

Those who voted in the affirmative are,

Messrs. Allen, Alley, Athon, Beard, Bowen, Butler, Byers, Caldwell, Carnahan of Posey, Cleaver, Cole, Connor, Cotton, Cravens, Defrees, Delavan, Dougherty of Boone, Dougherty of Elkhart, Essex, Farnesly, Gentry, Gessie, Goodwin, Graves, Greathouse, Hart, Harvey, Hicks, Hill, Huey, Humphreys, Lank, May, Miller of Marshall and Fulton, Miller of Owen, Millikin, Morrison, Niblack, O'Haver, O'Neal, Patterson, Prather, Richardson, Robinson of Decatur, Robinson of Laporte, Robson, Rush, Russell, Salter, Shelby, Shepard, Stoops, Summers, Thom, Thomas, Tinbrook, Warriner, Watkins, Weaver, Whinery, and Yocum—61.

Those who voted in the negative are,

Messrs. Barker, Bird, Brown of Randolph, Burnet, Campbell, Carnahan of Fountain, Chandler, Conaway, Dodd, Edwards, Elder,

Ellis, Harney, Holcomb, Hunter, Johnson, Keeney, Knowlton, Landiss, Lane, Leviston, Menaugh, Mickle, Murray, Orr, Reed, Sherrod, Spencer, Stewart, Stone, Wells, Weir, Wilson, Withers, and Mr. Speaker—36.

So the amendment was adopted.

On motion by Mr. Knowlton,
The House adjourned to meet to-morrow at 9 o'clock.

SATURDAY MORNING, 9 o'clock, December 15th, 1849.

The House met.

The journal of the preceding day was read.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House without amendment :

No. 16. An act to define the jurisdiction of justices of the peace in the county of Vermillion.

PETITIONS &C., PRESENTED.

By Mr. Elder,
The Temperance memorial of citizens of Wayne county ;
Which,

On motion,
Was referred to the select committee of one from each Judicial Circuit, on the subject of temperance memorials.

By Mr. Gessie,
The Temperance memorial of citizens of Vermillion county ;
Which,

On motion,
Was referred to the select committee on the same subject.
By Mr. Prather,
The Temperance memorials of citizens of Jennings county ;
Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Miller, of Marshall and Fulton.

The petition of members of the court and bar of the Marshall Circuit Court, relative to the grand jury of said county ;

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Delavan,

The petition of Isaac Wilcox, relative to building a culvert across the Mooresville and Greencastle road ;

Which was referred to a select committee consisting of Messrs. Delavan, O'Haver, and Edwards.

By Mr. Athon,

The petition of Louis Chappell of Bartholomew, in Clark county ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Athon, Morrison and Hicks.

By Mr. Thom,

The petition of Elizabeth Ann Crawford, for a divorce :

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Hunter,

The Temperance Memorial of citizens of Marion county ;

Which,

On motion,

Was referred to the committee of one from each judicial circuit, on the subject of temperance memorials.

By Mr. Campbell,

The petition of citizens of Montgomery county, to reinstate a certain part of the road leading from Jamestown, by the way of Darlington to Lafayette, commencing where said road crosses the Montgomery county line ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Campbell, Harney, and Patterson.

By Mr. Hunter,

The petition of citizens of Indianapolis, praying for the establishment of a State Orphan Asylum ;

Which,

On motion,

Was referred to the committee on benevolent and scientific institutions.

By Mr. Miller, of Marshall and Fulton,

The petition of William Sturgeon and others of Fulton county ;

Which,

On motion,

Was referred to the committee on canals and internal improvements.

REPORTS FROM COMMITTEES.

Mr. Chandler from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred the resolution of the House, instructing them to inquire into the expediency of changing the present law, so as to give the right to delinquents, twelve months to redeem personal property sold for the non-payment of taxes, by paying twenty-five per cent. to the purchaser, have instructed me to report, that owing to the instability, change, decay, and loss, to which personal property is subject, it is inexpedient to legislate on that subject, and ask to be discharged from the further consideration thereof.

Which report was concurred in,

Mr. Chandler, from the committee on the judiciary made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred House bill No. 38, have instructed me to report, that said bill refers wholly to a local measure, and they have therefore instructed me to report the same back to the House, and recommend its reference to a select committee.

Which report was concurred in, and the bill so referred.

The Speaker appointed Messrs. Chandler, Patterson, and Harney said committee.

Mr. Spencer, from the committee on the judiciary made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred a petition of sundry citizens of Steuben county, in the State of Indiana, beg leave to report, that they have had the same under consideration, and have instructed me to report the following bill, and recommend its passage :

No. 162. A bill providing for publishing notice and place of sale of delinquent lands in the county of Steuben ;

Which was read a first time, and passed to a second reading.

Mr. Graves, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred bill of the House No. 32, entitled, "An act to provide for ascertaining the value of personal property exempt from execution," would beg leave to report, that they have had the same under consideration, and have directed me to report the same back without amendment, and respectfully recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to which was referred the resolution, instructing said committee to inquire into the expediency of amending the law, so as to make administrators competent witnesses in suits for the estate they represent, have had the same under consideration, and have directed me to report that it is inexpedient to legislate thereon at the present session, and pray to be discharged from the further consideration of this subject.

Which report was concurred in.

Mr. Harney, from the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to whom was referred the petition of certain persons living in White and Carroll counties, praying for an act, authorizing them to sell a certain school section, under certain restrictions, have had the same under consideration, and have directed me, to report the following bill :

No. 163. A bill providing for the sale of the school section in Congressional township No. 26 north, of range three west, lying in the counties of White and Carroll ;

Which was read a first time and passed to a second reading.

Mr. Hart, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred the petition of sundry citizens of Floyd, Washington, and Clark counties, praying for the location of a State road therein named, have had the same under consideration and directed me to make the following report, viz :

That whereas the third section of an act to revise and consolidate the several acts of the General Assembly relative to the laying out, opening, repairing, changing, and vacating public highways, and to the erection and repair of bridges, and to amend the same, approved January 16th, 1849, requires that notice of such intended application to the Legislature be given by written or printed notices posted up in three public places in each county in the vicinity of the highway proposed to be located, at least twenty days before such petition is presented.

And, whereas your committee have no evidence before them that such notice has been given, your committee therefore recommend said petition to be laid on the table, and ask to be discharged from its further consideration.

Which report was concurred in.

Mr. Cotton, from the committee on roads, made the following report :

MR. PRESIDENT :

The committee on roads to whom was referred the petitions of sundry citizens of Jennings county praying for a donation of one hundred dollars for the construction of a certain bridge, have had the same under consideration, and directed me to report that in the opinion of said committee, it is inexpedient to grant the prayer of said petitioners, and asked to be discharged from the further consideration of the same.

Which report was concurred in.

Mr. Prather moved to refer the petition to a select committee ;

Which motion prevailed.

Messrs. Prather, Stewart, and Hicks were appointed said committee.

Mr. Hart, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to whom was referred a resolution of the House instructing said committee to inquire into the propriety of permitting and allowing Supervisors of roads to be elected by the qualified voters only, of their respective districts, and report by bill

or otherwise, have had the same under consideration, and have directed me to report that in their opinion it is inexpedient to legislate thereon, and ask to be discharged from any further consideration of the subject.

Which report was concurred in.

Mr. Alley, from the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to whom was referred House bill No. 21, being an act to amend an act entitled "an act to revise and consolidate the several acts of the General Assembly relative to laying out, opening, and repairing, changing, and vacating public highways, and to the erection and repair of bridges and to amend the same," have had said bill under consideration, and have instructed me to report the same without amendment, and recommend that said bill be laid on the table, and ask that your committee be discharged from its further consideration.

Which report was concurred in.

Mr. Huey, from the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to whom was referred the petition of sundry citizens of Wayne county, praying for the location of a State road therein named, have had the same under consideration and directed me to make the following report, viz: that whereas the 3d section of an act entitled "an act to revise and consolidate the several acts of the General Assembly for laying out, opening, repairing, &c., changing and vacating public highways and bridges, and the repair of the same, &c., to amend the same," approved January 16, 1849, requires that notice of such intended application to the Legislature shall be given by written or printed notices posted in three public places in each county in the vicinity of the highway proposed to be located, at least twenty days before such petition is presented, and whereas your committee has no evidence before them that such notice has been given, your committee therefore recommend said petition to be laid on the table, and ask to be discharged from its further consideration.

Which report was concurred in.

Mr. Yocum, from the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to whom was referred bill No. 37, on the subject of amending section 90, have had the same under consideration, and directed me report the same back, and ask to lay the same on the table, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Allen, chairman of the committee on agriculture, made the following report :

MR. SPEAKER :

I am instructed by the committee on agriculture, to whom was referred a communication, from the Legislature, by his Excellency the Governor of Vermont on the subject of agriculture, to report the following joint resolution, and respectfully ask its passage :

No. 164. A joint resolution in relation to establishing a Bureau of Agriculture in the Department at Washington ;

Which was read a first time and passed to a second reading.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred the petition of sundry citizens of Union county praying for the passage of a law embodying the general principles of the various charters of turnpike companies as a general law, have had the same under consideration, and directed me report the following bill and respectfully recommend its passage :

No. 165. A bill to provide for the regulation of Turnpike Companies ;

Which was read a first time, and passed to a second reading.

On motion by Mr. Leviston,

The rules were suspended and the bill read a second time.

Mr. Cravens moved to refer the bill to the committee on canals and internal improvements.

Which motion did not prevail.

The question then being on the engrossment of the bill, was decided in the negative.

On motion by Mr. Withers,

The order of business was suspended.

Mr. Withers offered the following resolution :

Resolved, That if the State Printer cannot furnish the members of

this House with the Governor's message and the inaugural address instantanly, that the Door-keeper be authorized to contract with some good practical printer, to be employed to furnish the same as soon as possible.

Which was not adopted.

Mr. Prather moved to suspend the order of business, and take up the message from the Senate, containing Senate bill, No. 77, a bill to amend the charter of the Columbus, Nashville, and Bloomington Railroad Company ;

Which motion did not prevail.

Mr. Niblack, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred the memorial of the grand jury of Martin county, praying for a change of the mode of selecting and summoning petit jurors in said county, have had the same under consideration and are of opinion that the prayer of said memorial ought to be granted, and have instructed me to report the accompanying bill, to respectfully recommend its passage, and ask to be discharged from the further consideration of the subject :

No. 166. A bill regulating the mode of electing and summoning petit jurors in the county of Martin ;

Which was read a first time and passed to a second reading.

Mr. Salter, from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of sundry citizens of the counties of White and Tippecanoe, have had the same under consideration and instructed me to report the following bill and recommend its passage :

No. 167. A bill to incorporate the Tippecanoe Horse Thief Detecting Company ;

Which was read a first time and passed to a second reading.

Mr. Patterson moved to suspend the rules and read the bill a second time ;

Which motion prevailed.

The bill was then ordered to be engrossed.

Mr. Conaway, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of the citizens of Dearborn county, praying the Legislature to grant the

members of the Evangelical Lutheran St. John Church, an act of incorporation, have had the same under consideration and directed me to report the accompanying bill, and respectfully recommend its passage :

No. 168. A bill to incorporate the Evangelical Lutheran St. John Church, in Dearborn county ;

Which was read a first time and passed to a second reading.

Mr. Chandler, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred House bill, No. 62, have instructed me to make the following report, viz :

Amend the the first section, by adding thereto, the following proviso, viz :

"Provided this act shall only apply to the counties of Dearborn, Franklin, and Warren," with this amendment, they recommend its passage.

Which amendment was concurred in.

On motion by Mr. Dougherty of Boone,

Resolved, That whereas, the practice of recording inventories and sale bills in separate books, procured for that purpose, has generally obtained among the clerks of the respective probate courts of this State, without the express sanction of law, the judiciary committee are, therefore, hereby instructed to inquire into the expediency of changing, amending, or authorizing said practice, and report by bill or otherwise.

On motion by Mr. Spencer,

Resolved, That the committee on education be instructed to inquire into the necessity of establishing a board of examiners in the several counties of this State, for the purpose of ascertaining the qualifications of Teachers of common schools, and report by bill or otherwise.

On motion by Mr. Ellis,

Resolved, That the committee on education, be instructed to inquire if any legislation is necessary, when the district trustees refuse to serve, so as to compel them to serve, and to report by bill or otherwise.

BILLS &C., INTRODUCED.

By Mr. Elder,

No. 169. A joint resolution relative to donating the public lands to actual settlers ;

Which was read a first time, and passed to a second reading.

By Mr. Chandler,

No. 170. A bill to establish a sinking fund to pay the State debt ;

Which was read a first time and passed to a second reading.

By Mr. Yocum,

No. 171. A bill to provide for a uniform mode of doing township business in Clay county ;

Which was read a first time and passed to a second reading.

By Mr. Hillis,

No. 172. A bill to amend the city charter of the city of Madison, approved the 14th day of February, 1848 ;

Which was read a first time and passed to a second reading.

By Mr. Mickle,

No. 173. A bill to amend the 9th section of the act to increase and extend the benefits of common schools ;

Which was read a first time and passed to a second reading.

By Mr. Weaver,

No. 174. An act to authorize the commissioners of Carroll County to employ a physician for the poor ;

Which was read a first time and passed to a second reading.

By Mr. Weaver,

No. 175. A bill to incorporate the Pittsburgh Library and Temperance Institute, in the county of Carroll ;

Which was read a first time and passed to a second reading.

By Mr. Shepard,

No. 176. A bill to divorce Catharine Reece, of the county of Knox, in this State, from her husband, — Reece, and to change the name of the said Catharine Reece ;

Which was read a first time and passed to a second reading

By Mr. Menaugh,

No. 177. A bill authorizing the voters of Washington county to vote at any precinct in said county ;

Which was read a first time and passed to a second reading.

By Mr. Patterson,

No. 178. A bill to incorporate the Goodwin Female Institute of Lafayette ;

Which was read a first time, and

On motion by Mr. Shelby,

The rules were suspended, the bill read a second time, and,

On motion by Mr. Shelby,

The bill was then referred to the committee on corporations.

On motion by Mr. Carnahan of F.,

Messrs. Campbell and Chandler were added to the select committee on the memorial of the President and Officers of the Colonization Society at Covington, and William W. Findley.

Mr. Mickle moved to take up the message from the Senate ;

Which motion prevailed.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 5. An act defining the duties of auditor and treasurer of the county of Delaware ;

No. 8. An act for the relief of Jeremiah T. Draper ;

No. 15. An act to amend an act entitled an act to incorporate the Lake Michigan, Logansport, and Ohio River Railroad Company, approved Feb. 17th, 1848 ;

No. 19. An act to amend an act entitled an act to authorize a company to construct a turnpike road from the point where the present State road, leading from Oxford to Connersville, crosses the State line of Ohio and Indiana, to Connersville ;

No. 21. An act entitled an act defining the duties of treasurer, auditor, and supervisors of highways in the county of Dearborn, approved January 26, 1847 ;

No. 25. An act to extend the time of holding circuit court in and for the county of Henry ;

No. 28. An act to regulate and change the mode of electing petit jurors in Laporte county ;

No. 31. An act declaring the meaning of a certain act entitled an act to amend an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors, approved January 28, 1847, so far as the same relates to the county of Wabash, approved January 16, 1849 ;

No. 32. An act to extend the time of holding commissioners' court in the county of Marion ;

No. 38. An act to incorporate the Old School Presbyterian Church of Dunlapville, in the county of Union and State of Indiana ;

No. 52. An act to authorize the Governor, Auditor, and Treasurer of State to borrow money to pay the interest due on the funded debt on the first day of January and first day of July, 1850 ;

In all of which the concurrence of the House is respectfully requested.

No. 5. An act defining the duties of auditor and treasurer of the county of Delaware,

Contained in the foregoing message,

Was read a first time and passed to a second reading.

No. 8. An act for the relief of Jeremiah T. Draper ;

Was read a first time.

Mr. Dougherty of Boone moved to reject the bill.

The ayes and noes being demanded by Messrs. Edwards and Dougherty of Boone,

Those who voted in the affirmative are,

Messrs. Alley, Athon, Beard, Bird, Bowen, Brown of Randolph, Brown of Shelby, Butler, Caldwell, Carnahan of Posey, Chandler, Cleaver, Conaway, Cravens, Defrees, Dougherty of Boone, Dougherty of Elkhart, Elder, Ellis, Essex, Farnesly, Gessie, Goodwin, Graves, Harney, Hart, Harvey, Hill, Hillis, Holcomb, Humphreys, Hunter, Johnson, Keeney, Knowlton, Landiss, Lane, Lank, May, Menaugh, Miller of Owen, Morrison, Murray, Orr, Patterson, Prather, Robinson of Decatur, Robinson of Laporte, Robson, Ross, Rush, Russell, Salter, Sherrod, Spencer, Stewart, Stoops, Summers, Thom, Thomas, Tinbrook, Warriner, Watkins, Weaver, Wells, Withers, Whinery, Yocum, and Mr. Speaker—68.

Those who voted in the negative are,

Messrs. Allen, Burnett, Campbell, Cole, Delavan, Dodd, Edwards, Gentry, Greathouse, Huey, Leviston, Miller of M. and F., Niblack, O'Haver, O'Neal, Reed, Richardson, Shelby, Shepard, Stone, and Weir—21.

So the bill was rejected.

No. 15. An act to amend an act entitled "an act to incorporate the Lake Michigan, Logansport, and Ohio River Rail Road Company," approved February 17th, 1848 ;

No. 19. An act to amend an act entitled "an act to authorize a company to construct a turnpike road from the point where the present State road leading from Oxford to Connersville crosses the State line of Ohio and Indiana, to Connersville ;"

No. 21. An act entitled "an act defining the duties of Treasurer, Auditor, and Supervisors of highways in the county of Dearborn," approved January 26th, 1847 ;

No. 25. An act to extend the time of holding the Circuit Court in and for the county of Henry ;

No. 28. An act to regulate and change the mode of electing petit jurors, in Laporte county ;

No. 31. An act declaring the meaning of a certain act entitled, "an act to amend an act to authorize the people of the several counties to prohibit the retailing of spirituous liquors, approved January 28th, 1847, so far as the same relates to the county of Wabash, approved January 16th, 1849 ;"

No. 32. An act to extend the time of holding Commissioners Court, in the county of Marion ;

No. 38. An act to incorporate the Old School Presbyterian Church of Dunlapsville, in the county of Union, and State of Indiana ;

Which were severally read a first time and passed to a second reading.

No. 52. An act to authorize the Governor, Auditor, and Treasurer of State to borrow money, to pay the interest due on the funded debt, on the first day of January, and first day of July, 1850 ;

Was read a first time ;

On motion by Mr. Niblack,

The rules were suspended, and the bill read a second time.

Mr. Edwards moved to lay the bill on the table ;

Which motion prevailed.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof :

No. 44. An act for the relief of Anthony F. Yager ;

No. 54. An act extending the time of holding the sessions of the Board of County Commissioners in the county of Fountain ;

In which the concurrence of the House is respectfully requested.

No. 44. An act for the relief of Anthony F. Yager ;

Contained in the foregoing message,

Was read a first time and passed to a second reading.

No. 54. An act extending the time of holding the sessions of the Board of County Commissioners in the county of Fountain ;

Was read a first time, and passed to a second reading.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof :

No. 77. An act to amend the charter of the Columbus, Nashville, and Bloomington Rail Road Company ;

In which the concurrence of the House of Representatives is respectfully requested.

No. 77. An act to amend the charter of the Columbus, Nashville, and Bloomington Rail Road Company ;

Contained in the foregoing message,

Was read a first time.

Mr. Prather moved to suspend the rules ;

Which motion prevailed.

The bill was read a second time.

Mr. Prather offered the following amendment :

Amend the 10th section in its proper place by inserting :

"Provided, That no branch of said rail road shall extend to a greater distance than twenty miles ;"

Which amendment was adopted.

Mr. Salter moved to refer the bill to the committee on corporations ;

Which motion did not prevail.

Mr. Chandler offered the following amendment :

Amend section 6 by adding thereto as follows :

And it shall be lawful for said Columbus, Nashville, and Bloomington Rail Road Company, for the purpose of constructing the said road or roads in this bill named, and for equipping and using the same, to make and issue their own bonds, in such form, and for such sum of money, and bearing such rate of interest, and to negotiate and dispose of the same in such manner, as the Directors thereof shall deem for the best interests of the company, but no bonds shall be issued by said company for any other purpose whatever. And all such bonds shall be signed by the President and attested by the Secretary of the company, and sealed with their seal.

Which amendment was adopted,

The question then being, shall the bill be engrossed ?

Was decided in the affirmative.

On motion by Mr. Edwards,

Senate bill

No. 52. A bill to authorize the Governor, Auditor, and Treasurer of State to borrow money to pay the interest due on the funded debt on the first day of January, and first day of July, 1850,

Was taken from the table.

On motion by Mr. Withers,

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions thereof, to-wit:

No. 14. An act to amend an act to incorporate Anderson's Collegiate Institute ;

No. 22. An act to amend the charter of the Rushville and Shelbyville Railroad company ;

No. 29. An act to amend an act to incorporate the Central Plank Road company ;

No. 33. An act to amend the 18th section of article 3, chapter 5, of the Revised Statutes of 1843 ;

No. 37. An act for the relief of Betsey Ann Simpson ;

No. 43. An act amendatory of the act relative to the practice of law ;

No. 53. An act to amend section 82, chapter 6, of the Revised Statutes of 1843, extending the use of the State Library to professors and teachers ;

No. 56. An act to increase the salaries of the probate judge of Posey county, in the State of Indiana ;

No. 58. A joint resolution in relation to the Soldiers of the late war with Great Britain ;

No. 61. An act for the relief of the heirs of William Shultze, deceased ;

No. 64. An act to extend the time of holding the sessions of the board of county commissioners of Montgomery county ;

No. 66. An act to amend an act, entitled " An act to incorporate the Moscow and Bloomington Turnpike company," approved January 15, 1849 ;

No. 67. An act to amend the act entitled " An act to change the time of holding the probate court in Franklin county," approved February 15, 1848 ;

No. 68. An act to amend an act entitled " An act to change the mode of electing grand jurors in the county of Orange ;"

No. 69. An act to enable the trustees of the Harrison county Seminary to convey certain lots therein named ;

In all of which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of Senate bills contained in the foregoing message.

No. 14. A bill to amend an act to incorporate Anderson's Collegiate Institute ;

Was read a first time and passed to a second reading.

No. 22. A bill to amend the charter of the Rushville and Shelbyville Railroad company ;

Was read a first time and passed to a second reading.

No. 29. A bill to amend an act to incorporate the Central Plank Road company ;

Was read a first time and passed to a second reading.

No. 33. A bill to amend the 18th section of article 3, chapter 5, of the Revised Statutes of 1843 ;

Was read a first time and passed to a second reading.

No. 37. A bill for the relief of Betsey Ann Simpson ;

Was read a first time, and passed to a second reading.

No. 43. A bill amendatory of the act relative to the practice of law ;

Was read a first time and passed to a second reading.

On motion by Mr. Shepard,

The House adjourned.

Two o'clock, P. M.

The House met.

The House resumed the consideration of bills of the Senate contained in a message from that body.

No. 53. A bill to amend section 82, chapter 6, of the Revised Statutes of 1843, extending the use of the State Library to professors and teachers ;

Was read a first time and passed to a second reading.

No. 56. A bill to increase the salaries of the probate judge of Posey county, in the State of Indiana ;

Was read a first time and passed to a second reading.

On motion by Mr. Wilson,

The House adjourned to meet Monday morning at 9 o'clock.

MONDAY MORNING, 9 O'CLOCK, DECEMBER 17, 1849.

The House met pursuant to adjournment.

The journal of the preceding day was read.

On motion by Mr. Allen,
The rules were suspended.

On motion by Mr. Allen,

Resolved, That the annual message of his Excellency, the Governor, communicated to the General Assembly at the present session, be recommitted to the committee of the whole House, and made the special order of the day for this day at 2 o'clock, P. M.

PETITIONS, &C., PRESENTED.

By Mr. Dougherty of Boone,
The temperance memorial of citizens of Boone county ;
Which,

On motion,
Was referred to the select committee on the same subject.

By Mr. Harvey,
The temperance memorial of citizens of Hamilton county ;
Which,

On motion,
Was referred to the select committee on the same subject.
By Mr. Brown of Shelby,
The temperance memorial of citizens of Shelby county ;
Which,

On motion,
Was referred to the select committee on the same subject.
By Mr. Hunter,
The petition of numerous citizens of Marion county, praying for
the repeal of the school law of the last session ;
Which,

On motion,
Was referred to a select committee, consisting of
Messrs. Hunter, Robson, and Johnson.
By Mr. Ross,
The petition of citizens of Franklin county, praying for the re-
peal of a part of the road law of the last session ;
Which,

On motion,
Was referred to a select committee, consisting of
Messrs. Ross, Cleaver, and Watkins.
By Mr. Carnahan of Fountain,
The petition of citizens of Fountain county, for the enactment of
a law legalizing the viewing and laying out of a certain road in
the counties of Tippecanoe and Fountain ;

Which,
On motion,
Was referred to the committee on the judiciary.
By Mr. Robinson of Laporte,
The temperance memorial of citizens of Laporte county ;
Which,

On motion,
Was referred to the committee of one from each judicial circuit
on the same subject.

By Mr. Connor,
The petition of J. Lang and others of Perry county, in reference
to county courts of said county ;

Also, the petition of J. Lang and others, in regard to roads in
Perry county ;

Also, the petition of J. Lang and others, in reference to school
lands in Perry county ;

Which,

On motion,
Was referred to a select committee consisting of
Messrs. Connor, Wilson, and Reed.

On motion by Mr. Holcomb,
The order of business was suspended.

On motion by Mr. Holcomb,

Resolved, That the State Librarian be directed to transmit to this House a petition and bill on file in his office "for the relief of the citizens of Seminary township in Gibson county."

By Mr. Edwards,

The petition of J. H. Cutter, relative to the loss of a State bond;
Which,

On motion,

Was referred to the committee on claims.

By Mr. Weaver,

The petition of the board of commissioners of Carroll county, relative to the sale of a certain lot in the town of Delphi ;

Which,

On motion,

Was referred to a select committee consisting of

Messrs. Weaver, Gentry, and Prather.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of certain citizens of this State, praying a repeal of so much of the Revised Statutes of 1843, as abolishes *estates in tail*, and to revive such estates in this State, and permit the citizens thereof to grant or devise their real estate, according to the terms of such an estate; and also, if it should be impolitic to revive such estates, with general provisions, that the power should be conferred upon Lyman G. Austin of the county of Martin, to grant or devise his real estate *in tail*, have instructed me to report that *estates in tail* is a part of English jurisprudence that does not appear to have ever been known to the laws of this State, and that it is inexpedient to grant the prayer of the petitioners, as such estates are contrary to the genius of free institutions.

Which report was concurred in.

Mr. Cravens, chairman of the committee on military affairs, made the following report :

MR. SPEAKER :

The standing committee to whom was referred a joint resolution in relation to the war with Great Britain, and petitions upon the same subject, have had the same under consideration and have unanimously instructed me to report the resolution back to the House and respectfully recommend its passage.

No. 67. A joint resolution in relation to soldiers of the war with Great Britain ;

Which was ordered to be engrossed.

Mr. Hill, from the committee on roads, made the following report:

MR. SPEAKER :

The committee on roads, to whom was referred the resolution of the House, instructing them to inquire into the expediency of amending an act entitled "an act to revise and consolidate the several acts of the General Assembly relative to public highwys," approved January 16, 1849, have had the same under consideration, and directed me to report the following bill and respectfully ask its passage.

No. 179. A bill to amend an act entitled "an act to revise and consolidate the several acts relative to public highways," approved January 16, 1849 ;

Which was read a first time and passed to a second reading.

Mr. Gessie, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill No. 142, in relation to granting the right of way through the county of Vermilion to the Danville and Georgetown Plank Road Company, of Vermillion county, Illinois, have had the same under consideration, and directed me to report the same back and recommend its passage.

Which bill was ordered to be engrossed.

On motion by Mr. Gessie,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Chandler, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the House bill No. 38, have had the same under consideration, and have instructed me to report, that upon examining the petitions in favor of said bill, we find that there are six hundred and six petitioners praying for the relief set out in said bill, and as the same is purely local, we therefore report the same back to the House, without amendment, and recommend its passage.

No. 38. A bill for the relief of the securities of John R. Harris,

Mr. Wilson moved to recommit the bill to a select committee. with the following instructions :

"To release all securities of school commissioners of loaning agents, and all other officers connected with the collection and disbursements of school funds."

Which motion to recommit with instructions, did not prevail.

Mr. Edwards moved to indefinitely postpone the bill.

Mr. Wilson moved to lay the bill on the table.

Which motion prevailed.

RESOLUTIONS.

On motion by Mr. Gentry,

Resolved, That the Quarter Master General of the State, be requested to report to this House, the number of public arms, the various kinds, their condition, the amount annually expended for transportation and repairs of the same, together with such suggestions as he may deem compatible with this branch of the public service.

On motion by Mr. Shelby,

Resolved, That his Excellency, the Governor, be respectfully requested to return to this House, bill No. 73, entitled an act to amend an act, entitled an act to incorporate the Lafayette Insurance Company, approved February 8, 1836, and that the Clerk furnish the Governor with a copy of this resolution.

On motion by Mr. Wilson,

The joint select committee on the part of the House, to count and cancel State Bonds, were granted leave of absence till to-morrow morning.

Mr. Niblack offered the following preamble and resolution :

WHEREAS, There is found in the vicinity of the town of Harrisonville, in the county of Martin, in this State, large quantities of mineral water, holding in solution, amongst other medicinal ingredients, a large proportion of sulphur, which, for continued use for many years past, has proved highly valuable in the treatment and cure of many diseases from which the various classes of invalids, who have used said water, from time to time, have been suffering, and more especially so, in the treatment and cure of diseases of the eye, and of those in which that delicate organ is implicated. And whereas, the want of an institution of some kind, within the borders of our State, to be set apart for the treatment and cure of diseases of the eye, is generally felt and acknowledged by most of our citizens who are familiar with such subjects. And whereas, it is believed that the State of Indiana ought, in view of the benevolent spirit already manifested by her citizens upon similar subjects, and as soon as her pecuniary circumstances will permit her to do so, to make some provision for the care and comfort of that unfortunate class of invalids, who are suffering from the various diseases to which the human eye is liable.

Therefore Resolved, That the committee on benevolent and scientific institutions, be instructed to inquire into the expediency of making provisions for the establishment and erection of an Eye Infirmary, near said town of Harrisonville, in said county of Martin, and contiguous to some one of the springs out of which said mineral water emanates, and to report by bill or otherwise.

Which were adopted.

On motion by Mr. Farnsley,

Resolved, That the committee on roads, be directed to inquire into the expediency of reporting a joint resolution making it the duty of

the Secretary of State, to compile all the road laws that may be in force at the expiration of the present session of the General Assembly, and cause a suitable number of copies printed for the use of supervisors of highways.

On motion by Mr. Warriner,

Resolved, That the committee on military affairs, be instructed to inquire into the propriety of abolishing the office of Adjutant General, and transfer whatever duties may appertain for the present to said office, to the Quarter Master General, with leave to report by bill or otherwise.

On motion by Mr. Dodd,

Resolved, That the committee on the judiciary, be instructed to inquire into the expediency of giving to the circuit courts, concurrent jurisdiction in the punishment of all offences, when the fine is not less than five dollars, and of making it a general law.

BILLS &C. INTRODUCED.

By Mr. Hillis—

No. 180. A bill to amend an act, entitled an act to increase and extend the benefits of common schools.

By Mr. Lane—

No. 181. A bill to repeal in part, an act entitled an act to increase and extend the benefits of common schools, approved Jan. 17, 1849.

By Mr. Greathouse,

No. 182. A bill to amend article 1, chapter 12, of the revised laws of 1843.

By Mr. Mickle—

No. 183. A bill to regulate grand and petit jurors' fees in the county of Adams.

By Mr. Greathouse—

No. 184. A bill to amend the charter of the city of Evansville.

By Mr. Bowen—

No. 185. A bill to change the time of holding the April term of commissioner's court of Jefferson county.

By Mr. Ross,

No. 186. An act to change the name of Emanuel Pidcock.

By Mr. Orr,

No. 187. An act to amend the 14th section of the revised road law of 1849.

By Mr. Edwards,

No. 188. A bill in relation to the change of names.

By Mr. Connor,

No. 189. A bill relative to the law confining voters in their townships, &c.

By Mr. Greathouse,

No. 190. A bill for the relief of Catharine Schnell and Dorothy Debler, (wife of Louis Debler,) of Vanderburgh county.

By Mr. Weir,

No. 191. A bill relating to the Sullivan County Library.

By Mr. May,

No. 192. A bill to confirm the Angola Plank Road Company.

By Mr. Mickle,

Ne. 193. A bill to regulate the per diem allowance for work on the public highways, in Adams county.

By Mr. Mickle,

No. 194. A bill to authorize Joseph A. Williams and John Morgan to erect and maintain a mill dam across the Wabash river, at or near Bluffton, Wells county.

By Mr. Connor,

No. 195. A bill to amend the 56th chapter of the revised statutes of 1843.

Which were severally read a first time and passed to a second reading.

ORDERS OF THE DAY.

The House resumed the consideration of Senate bills contained in a message, which had been taken up on the preceding day.

No. 58. A joint resolution in relation to the soldiers of the late war with Great Britain ;

No. 61. A bill for the relief of the heirs of William Shultze, deceased ;

No. 64. A bill to extend the time of holding the sessions of the Board of Commissioners of Montgomery county ;

No. 66. A bill to amend an act entitled, "an act to incorporate the Moscow and Blooming Grove Turnpike Company, approved January the 15th, 1849 ;

No. 67. A bill to amend the act entitled, "an act to change the time of holding the Probate Court in Franklin county," approved February the 15th, 1848 ;

No. 68. A bill to amend an act entitled, "an act to change the mode of selecting grand jurors in the county of Orange ;"

No. 69. A bill to enable the Trustees of Harrison County Seminary to convey certain lots therein named ;

Which were severally read a first time, and passed to a second reading.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, with one amendment :

No. 3. An act to compel non-resident land owners to pay a road tax equal to that paid by resident proprietors ;

In which amendment the concurrence of the House is respectfully requested.

The amendment by the Senate to

No. 3. An act to compel non-resident land owners to pay a road tax equal to that paid by resident proprietors ;

Was concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson their Secretary ;

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with one amendment :

No. 5. An act to authorize the County Commissioners of Clark county to establish an additional place of holding elections in Wood township, of said county ;

In which amendment the concurrence of the House is respectfully requested.

The amendment of the Senate to the bill set forth in the foregoing message,

Was concurred in by the House.

Ordered, That the Clerk inform the Senate thereof

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof :

No. 71. An act to amend an act entitled, "an act to amend an act entitled, an act to incorporate the Knightstown and Shelbyville Rail Road Company," returned by the Governor to the Senate February 11, 1848 ;

In which the concurrence of the House is respectfully requested.

No. 71. An act to amend an act entitled, "an act to amend an act entitled, an act to incorporate the Knightstown and Shelbyville Rail Road Company," returned by the Governor to the Senate February 11th, 1848 ;

Was read a first time and passed to a second reading.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 72. An act for the relief of Herman Henry Kluter and Frederick William Kluter, of the county of Ripley, Indiana ;

No. 89. An act to extend the powers of the president and trustees of the town of Columbus ;

No. 81. An act authorizing the board doing county business for the county of Morgan to continue in session ten days at their March and June terms ;

No. 85. An act to locate a State road in the counties of Martin, Orange, and Crawford ;

No. 106. An act to legalize the acts of the board of county commissioners of the counties of St. Joseph, Marshall, and Fulton, in assessing the road taxes in said counties for the year 1849 ;

No. 120. An act to divorce Hannah S. Martin and Richard C. Martin ;

No. 124. An act for the relief of George W. Potter of Knox county ;

In which the concurrence of the House is respectfully requested.

No. 72. An act for the relief of Herman Henry Kluter and Frederick William Kluter, of the county of Ripley, Indiana,

Contained in the foregoing message,

Was read a first time and passed to a second reading.

No. 80. An act to extend the powers of the president and trustees of the town of Columbus,

Was read a first time and passed to a second reading.

No. 81. An act authorizing the board doing county business for the county of Morgan to continue in session ten days at their March and June terms,

Was read a first time and passed to a second reading.

No. 89. An act to locate a State road in the counties of Martin, Orange, and Crawford,

Was read a first time and passed to a second reading.

No. 106. An act to legalize the acts of the Board of county commissioners of the counties of St. Joseph, Marshall, and Fulton, in assessing the road tax in said counties, for the year 1849,

Was read a first time and passed to a second reading.

No. 120. An act to divorce Hannah S. Martin, and Richard C. Martin,

Was read a first time.

On motion by Mr. Shelby,

Certain papers connected with the subject of the act were read
Mr. Edwards moved to suspend the rules ;

Pending which,

Mr. Spencer moved to reject the bill ;

Pending which,

On motion by Mr. Millikin,

The House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

When the House adjourned the following bill of the Senate was under consideration :

No. 120. A bill to divorce Hannah S. Martin and Richard C. Martin.

The question pending being the motion of Mr. Spencer to reject the bill.

The ayes and noes being demanded by Messrs. Withers and May,

Those who voted in the affirmative are,

Messrs. Alley, Athon, Beard, Bowen, Brown of R., Butler, Caldwell, Carnahan of P., Chandler, Cleaver, Conner, Cotton, Cravens, Defrees, Dougherty of B., Dougherty of E., Elder, Ellis, Essex, Farnesly, Gessie, Graves, Hart, Harney, Harvey, Hicks, Hill, Holcomb, Humphreys, Hunter, Johnson, Keeney, Knowlton, Lane, Lank, May, Menaugh, Miller of O., Millikin, Morrison, Orr, Patterson, Prather, Robinson of D., Robinson of L., Ross, Rush, Russell, Salter, Sherrod, Spencer, Stewart, Stoops, Summers, Thom, Thomas, Tinbrook, Watkins, Weaver, Withers, Whinery, Yocum and Mr. Speaker—63.

Those who voted in the negative are,

Messrs. Allen, Barker, Brown of S., Burnet, Campbell, Cole, Delavan, Edwards, Gentry, Goodwin, Greathouse, Huey, Leviston, Mickle, Miller of M., Murray, Niblack, O'Haver, O'Neal, Reed, Richardson, Shelby, Shepard, Stone, and Wells—25.

So the bill was rejected.

Mr. Murray moved to reconsider the vote on the bill ;

Which motion did not prevail.

No. 124. A bill for the relief of George W. Potter, of Knox county,

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

The Speaker laid before the House the following communication from the Auditor of State :

AUDITOR OF STATE'S OFFICE, {
December 17, 1849. }

HON. GEORGE W. CARR,

Speaker of the House of Representatives :

SIR :—Be pleased to lay before the Branch of the General Assembly over which you preside, the enclosed communication, and oblige,
Very respectfully, your obedient servant,

D. MAGUIRE, *Auditor of State.*

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STATE AUDITOR'S OFFICE, {
Indianapolis, December 12th, 1849. }

To the General Assembly :

In the last annual report from this office (page 40) an account is given of the sale of the 107 shares of new stock in the Madison and Indianapolis Railroad company, to which the State was entitled on the account of the increase of stock in said company, made in August, 1848. This sale was authorized by a joint resolution approved January 16th, 1849. During the last Spring another large increase of stock was made by the Directors of the company, amounting to three shares for every four previously held. After the sale of the 107 shares above mentioned, the state still owned 346 shares which entitled her to 260 shares of new stock under the increase last made. This new stock had to be subscribed for, the first instalment paid on or before the 15th of March last, or it would forfeit. Having no authority on the subject the Auditor and Treasurer deemed it their duty to subscribe on the part of the State for the new stock. Afterwards I made a conditional sale of it to a company of gentlemen for \$15.00 a share subject, to the ratification of the Legislature. I received for the right to take the new stock the sum of \$3,900.00, the purchasers paying the first instalment then due on the stock, and the residue as it shall be called for by the Directors. If the Legislature decline to ratify the sale, the money advanced with six per interest, is by the contract to be refunded to the purchasers. The highest price that I knew individuals to receive for their right was \$12.00, and I knew of sales made at \$10.00 per share. I wrote on the subject to the Secretary of the company at Madison, who from

his position is generally conversant with the prices of Railroad Stock, and every thing pertaining to it, and I have his letter in reply in which he states that "twelve dollars per share, have been offered here for rights, and I think that is the highest price that they would bring." Knowing that there would be a deficiency in the Treasury to meet the July interest on the public debt, and that therefore whatever was paid for the stock, was in effect paid out of money borrowed at six per cent. interest, and having no authority to make an absolute sale, I did what I thought best for the State, and made a conditional sale, on the terms above stated, viz: \$15.00 per share. If the Legislature shall decline to ratify the contract, the State has only to pay back the money advanced with six per cent. interest, which would be but a payment of interest to the purchasers instead of paying exactly the same amount to the banks. I thought at the time and under the circumstances, that it was a favorable arrangement for the State, and I now submit the matter to the Legislature for its action. Any additional information that may be desired within my power to give, will be furnished with pleasure.

Respectfully submitted,

D. MAGUIRE, *Auditor of State.*

On motion,

The communication was referred to a select committee consisting of Messrs. Edwards, Carnahan of Posey, and Wilson.

The Speaker laid before the House the following communication from his Excellency, the Governor:

EXECUTIVE DEPARTMENT, }
Dec. 17th, 1849. }

HON. GEORGE W. CARR,

Speaker of the House of Representatives:

You will please lay before the body over which you have the honor to preside the accompanying bill No. 73, entitled "an act to amend an act entitled 'an act to incorporate the Lafayette Insurance company,'" approved February 8th, 1836, according to a resolution of the House of Representatives passed this day.

Respectfully,

JOSEPH A. WRIGHT.

On motion by Mr. Shelby,

The communication and bill were laid on the table.

The hour having arrived the House went into committee of the whole on the Governor's Message, Mr. Allen in the chair.

After remaining in session for some time the committee rose and made the following report, through Mr. Allen, their chairman:

MR. SPEAKER :

The committee of the whole House to whom was referred the annual message of his Excellency the late Governor of Indiana, have according to order had the same under consideration, and have directed me to report that they have adopted sundry resolutions in relation thereto, in which the concurrence of the House is respectfully requested.

The House then proceeded to the consideration of the resolutions of the committee separately.

1. *Resolved*, That so much of the Governor's message as relates to the ordinary expenditures of the State government for the fiscal year ending on the 31st day of October, 1849, be referred to the committee on ways and means.

2. *Resolved*. That so much of the Governor's message as refers to the re-establishing of the office of Private Secretary to the Governor, be referred to committee on ways and ways.

3. *Resolved*, That so much of the Governor's message as relates to the subject of education, be referred to the committee on education.

4. *Resolved*, That so much of the Governor's message as relates to the three per cent. fund, be referred to the committee on roads.

5. *Resolved*, That so much of the Governor's message as relates to the call of a convention, be referred to a select committee.

6. *Resolved*, That so much of the Governor's message as relates to the sale of the Georgia lands, be referred to committee on ways and means.

7. *Resolved*, That so much of the Governor's message as relates to a loan of money for the payment of interest on the State debt, be referred to the committee on ways and means.

8. *Resolved*, That so much of the Governor's message as relates to the reports of the Adjutant and Quarter Master Generals, be referred to the committee on military affairs.

9. *Resolved*, That so much of the Governor's message as relates to our newly acquired territories, be referred to a select committee of five.

Which resolutions were severally concurred in by the House.

The Speaker appointed Messrs. O'Haver, Carnahan of Fountain, Niblack, Millikin, and Sherred, committee on resolution No. 6.

10. *Resolved*, That so much of the Governor's message as relates to the appointment of an agricultural bureau in the home department at Washington city, be referred to the committee on agriculture.

11. *Resolved*, That so much of the Governor's message as refers to exempting a homestead from execution be referred to a select committee of five.

Which were each concurred in by the House.

The Speaker appointed Messrs. Hillis, Brown of Randolph, Defrees, Dougherty of Boone, and Graves committee on resolution No. 11.

12. *Resolved*, That so much of the Governor's message as relates to special legislation, be referred to the committee on judiciary.

13. *Resolved*, That so much of the Governor's message, as relates to Benevolent and Scientific Institutions, be referred to the committee on that subject.

14. *Resolved*, That so much of the Governor's message as refers to the Temperance cause, be referred to the select committee on that subject.

15. *Resolved*, That so much of the Governor's message as relates to the subject of an asylum for the poor and destitute of the State, be referred to a select committee of one, from each congressional district.

Which resolutions were severally concurred in by the House.

The Speaker appointed,

Messrs. Chandler, Bowen, Cleaver, Stewart, Ellis, Goodwin, Tinbrook, Warriner, Orr, and Reed, committee on resolution No. 15.

16. *Resolved*, That so much of the Governor's message as relates to the subject of delinquent taxes, be referred to a select committee of one, from each congressional district.

Which resolution was concurred in by the House.

The Speaker appointed Messrs. Barker, Conaway, Beard, Essex, Shepherd, Burnet, Harney, Cole, and Lank, committee on resolution No. 16.

17. *Resolved*, That so much of the Governor's message as relates to the State debt, be referred to a select committee of seven.

Which resolution was concurred in by the House.

The Speaker appointed Messrs. Wilson, Burnett, Dougherty of Elkhart, Hunter, Murray, Stewart, and Withers, committee on resolution No. 17.

18. *Resolved*, That so much of the Governor's message as refers to the "Three per cent. Fund," and the settlement of the same with the United States, be referred to a select committee of one, from each congressional district.

Which resolution was concurred in by the House.

The Speaker appointed Messrs. Spencer, Wells, Richardson, Stone, Hunter, Humphreys, Johnson, Weaver, Defrees, and Cotton, committee on resolution No. 18.

19. *Resolved*, That so much of the Governor's message as relates to the Deaf and Dumb Asylum, the Blind Asylum, and the Insane Asylum, be referred to the committee on education

Which was not concurred in by the House.

20. *Resolved*, That so much of the Governor's message as relates to the subscription of stock by cities and counties, in Rail and Plank Road Companies, be referred to the committee on roads and canals.

Which was not concurred in by the House.

21. *Resolved*, That the portion of the Governor's message which refers to the low rate of tariff duties, adopted in 1846, be referred to the committee on commerce and manufactories.

Which was not concurred in by the House.

22. *Resolved*, That so much of the Governor's message as relates to various institutions of learning, be referred to the committee on education.

23. *Resolved*, That so much of the Governor's message, as refers to the Washington National Monument, be referred to a committee of one from each judicial circuit.

Which resolutions were each concurred in by the House.

The Speaker appointed Messrs. Patterson, Athon, Bowen, Richardson, Robson, Rush, Lane, Cole, Whinery, Miller of Owen, Dodd, Bird, and Watkins, said committee on resolution No. 23.

24. *Resolved*, That so much of the Governor's message as applies to the subject of Slavery, be referred to the select committee on that subject.

25. *Resolved*, That so much of the Governor's message as relates to plank roads, be referred to the committee on corporations.

Which resolutions were each concurred in by the House.

26. *Resolved*, That so much of the Governor's message as relates to the general prosperity of the State, be referred to the committee on finance.

Which resolution was not concurred in by the House.

27. *Resolved*, That all of the Governor's message, not otherwise disposed of, be referred to the committee on military affairs.

Which resolution was not concurred in by the House.

28. *Resolved*, That so much of the Governor's message as relates to the manner of doing business in the Probate Courts in this State, be referred to the committee on the judiciary.

29. *Resolved*, That so much of the Governor's message as relates to the Canal and Canal debt, be and the same is referred to the committee of internal improvements.

30. *Resolved*, That so much of the Governor's message as refers to "Free Common Schools" be referred to the committee on education.

31. *Resolved*, That so much of the Governor's message as relates to the prosperity of Agriculture, be referred to the committee on agriculture.

Which resolutions were severally concurred in by the House.

32. *Resolved*, That so much of the Governor's message as relates to the deliberations of the members of this House, be referred to a select committee of one from each county.

Which resolution was not concurred in by the House.

33. *Resolved*, That so much of the Governor's Message as refers to the State Prison, be referred to the committee on the officers of the State Prison.

Which resolution was concurred in by the House.

ORDERS OF THE DAY.

No. 2. A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations,

Was taken up.

Mr. Chandler moved to refer the bill to a select committee of one from each congressional district ;

Which motion did not prevail.

Mr. Weir moved to refer the bill to the committee of ways and means ;

Which motion did not prevail.

On motion by Mr. Spencer,

The bill was referred to the committee on the judiciary.

Mr. Menaugh moved that the House adjourn ;

Which motion did not prevail.

House Bills on their Second Reading.

No. 79. A joint resolution relative to using the lash in the United States Navy ;

No. 80. A joint resolution relating to the bounty land and three months extra pay of deceased officers, musicians, and privates engaged in the war against Mexico ;

Were each read a second time and ordered to be engrossed.

No. 81. A joint resolution in relation to the reduction of mileage and *per diem* allowance of members of Congress ;

Was read a second time.

Mr. Edwards moved to refer the joint resolution to the committee of ways and means ;

Which motion prevailed.

Mr. Greathouse moved to adjourn ;

Which motion did not prevail.

No. 82. A joint resolution on the subject of admitting slave territory ;

Was read a second time.

Mr. Niblack moved to indefinitely postpone the joint resolution.

Mr. Dodd moved the previous question.

Mr. Spencer moved to adjourn.

The ayes and noes being demanded by Messrs. Prather and Lane, on the motion of Mr. Spencer,

Those who voted in the affirmative are,

Messrs. Alley, Athon, Barker, Bird, Brown of S., Caldwell, Campbell, Carnahan of F., Carnahan of P., Chandler, Cleaver, Conaway, Cotton, Cravens, Delavan, Dougherty of E., Ellis, Essex, Farnesly, Hart, Holcomb, Landiss, Menaugh, Mickle, Miller of O., O'Haver, Richardson, Ross, Shepard, Sherrod, Spencer, Stone, Watkins, and Withers—34.

Those who voted in the negative are,

Messrs. Allen, Beard, Bowen, Brown of R., Burnet, Butler, Byers, Cole, Conner, Defrees, Dodd, Dougherty of B., Edwards, Elder, Gentry, Gessie, Goodwin, Graves, Greathouse, Harney, Harvey Hill, Hillis, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Lane, Lank, Leviston, May, Miller of M., Millikin, Morrison, Murray, Niblack, O'Neal, Orr, Patterson, Prather, Reed, Robinson of D., Robinson of L., Rush, Russell, Salter, Shelby, Stewart, Stoops, Sumners, Thom, Thomas, Tinbrook, Warriner, Weaver, Wells, Whinery, Yocum, and Mr. Speaker—61.

So the House refused to adjourn.

Mr. Alley moved to lay the joint resolution on the table.

The ayes and noes being demanded by Messrs. Lane and Butler,

Those who voted in the affirmative are,

Messrs. Alley, Athon, Barker, Brown of S., Byers, Caldwell, Carnahan of P., Cleaver, Conaway, Cravens, Ellis, Essex, Farnesly, Gentry, Greathouse, Hart, Humphreys, Johnson, Menaugh, Miller of Owen, Niblack, O'Haver, Reed, Richardson, Thomas, Wells, Withers, Yocum, and Mr. Speaker—29.

Those who voted in the negative are,

Messrs. Allen, Beard, Bird, Bowen, Brown of R., Burnet, Butler, Campbell, Carnahan of F., Chandler, Cole, Conner, Cotton, Defrees, Delavan, Dodd, Dougherty of B., Dougherty of E., Edwards, Elder, Gessie, Goodwin, Graves, Harney, Harvey, Hill, Hillis, Holcomb, Huey, Hunter, Keeney, Knowlton, Landiss, Lane, Lank, Leviston,

May, Mickle, Miller of M., Millikin, Morrison, Murray, O'Neal, Orr, Patterson, Prather, Robinson of D., Robinson of Laporte, Ross, Rush, Russell, Salter, Shelby, Shepard, Spencer, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Warriner, Watkins, Weaver, Whinery—65.

So said joint resolution was not laid on the table.

On motion by Mr. Knowlton,

The House adjourned to meet to-morrow morning at 9 o'clock.

TUESDAY MORNING, 9 O'CLOCK DECEMBER 18, 1849.

The House met pursuant to adjournment.

The journal of the preceding day was read.

The Speaker laid before the House the following communication :

INDIANAPOLIS, Dec. 6, 1849.

HON. G. W. CARR,

Speaker of the House of Representatives:

Sir: I have the honor to transmit herewith the report of the Board of Trustess of the Wabash and Erie Canal, to be laid before the House.

Respectfully,

Your obedient servant,

CHARES BUTLER,

President of the Board.

Mr. Edwards moved to lay the Report of the Trustees of the Wabash and Erie Canal on the table, and order 1000 cepies to be printed.

Mr. Withers moved to amend by striking out "1000 copies," and inserting "1800 copies."

Which motion did not prevail.

The question then being on the motion to print 1000 copies,

It was decided in the affirmative.

Mr. Mickle moved to take up the orders of the day.

Which motion prevailed.

ORDERS OF THE DAY.

No. 82. A joint resolution on the subject of admitting slave territory.

The question being on the motion by Mr. Dodd, to order the previous question.

Mr. Wilson moved to lay the joint resolution on the table.

The ayes and noes being demanded by Messrs. Lane and Butler,

Those who voted in the affirmative are,

Messrs. Alley, Athon, Barker, Brown of Shelby, Byers, Caldwell, Carnahan of Posey, Cleaver, Conaway, Cotton, Cravens, Ellis, Essex, Farnesly, Gentry, Greathouse, Hart, Hicks, Humphreys, Johnson, Menaugh, Miller of Owen, Niblack, O'Haver, Richardson, Thomas, Wells, Wilson, Withers, Yocum, and Mr. Speaker—31.

Those who voted in the negative are,

Messrs. Allen, Beard, Bird, Bowen, Brown of Randolph, Burnet, Butler, Carnahan of Fountain, Chandler, Cole, Connor, Defrees, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Gessie, Goodwin, Graves, Harney, Harvey, Hill, Hillis, Holcomb, Huey, Keeney, Knowlton, Landiss, Lane, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Millikin, Morrison, Murray, O'Neal, Orr, Patterson, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Robson, Ross, Rush, Russell, Salter, Shelby, Shepard, Spencer, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Warriner, Watkins, Weaver, Wier, and Whinery—65.

So the joint resolution was not laid on the table.

The question then recurring on the previous question,

Was decided in the negative.

So the previous question was not seconded by the House.

Mr. Niblack offered the following amendment:

Strike out "forever," and insert at the proper place "so long as the same remains a territory of the United States."

Mr. Elder moved to amend the amendment by inserting after the first resolution:

"And that they be further instructed to oppose the admission of any new State, the constitution of which does not contain a clause prohibiting slavery therein."

Mr. Russell moved to lay the amendment and the amendment to the amendment on the table.

The ayes and noes being demanded by Messrs. Butler and Niblack,

Those who voted in the affirmative are,

Messrs. Allen, Athon, Beard, Bird, Brown of Randolph, Burnet, Butler, Byers, Caldwell, Carnahan of Fountain, Chandler, Cole, Connor, Cotton, Defrees, Delavan, Dodd, Edwards, Ellis, Gessie, Goodwin, Graves, Harvey, Hill, Hillis, Hunter, Keeney, Knowlton, Landiss, Lane, Lank, Leviston, May, Miller of Marshall and Fulton, Millikin, Morrison, Murray, O'Neal, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Salter, Shelby, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Warriner, Weaver, Weir, Wilson, Whinery, and Yocum—59.

Those who voted in the negative are,

Messrs. Alley, Barker, Bowen, Brown of Shelby, Carnahan of Posey, Cleaver, Cravens, Dougherty of Boone, Dougherty of Elkhart, Elder, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Hicks, Holcomb, Huey, Humphreys, Johnson, Menaugh, Mickle, Miller of Owen, Niblack, O'Haver, Patterson, Richardson, Robson, Ross, Sherrod, Spencer, Thomas, Watkins, Wells, Withers, and Mr. Speaker—37.

So the amendment and the amendment to the amendment were laid on the table.

Mr. Cravens moved to amend said joint resolution so that nothing therein contained shall in any way interfere with state sovereignty.

Mr. Dougherty of Boone moved to amend the amendment by adding the following proviso :

Provided, That there shall be neither slavery nor involuntary servitude in said territory, otherwise than in the punishment of crimes wherever the party shall have been duly convicted : *Provided, always*, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original states, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid.

Which amendment was accepted by Mr. Cravens.

Mr. Wilson moved to commit the joint resolution and pending amendment to a select committee with the following instructions :

To strike out all of the joint resolution after the resolving clause, and insert—

“That it is the opinion and settled conviction of this General Assembly, that the ordinance commonly called the ordinance of 1787, fully expresses and embraces the sentiments of the people of Indiana, and that a strict observance of the same will be amply satisfactory without perpetually memorializing Congress upon the subject.”

The ayes and noes being demanded by Messrs. Patterson, and Wilson,

Those who voted in the affirmative are,

Messrs. Athon, Beard, Bird, Brown of Shelby, Burnet, Byers, Caldwell, Carnahan of Posey, Conaway, Connor, Cravens, Delavan, Dougherty of Boone, Edwards, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Hicks, Hillis, Holcomb, Humphreys, Hunter, Johnson, Landiss, Menaugh, Mickle, Miller of Owen, Niblack, O'Haver, Patterson, Richardson, Robson, Shepard, Sherrod, Spencer, Thomas, Watkins, Wells, Weir, Wilson, Withers, Yocum, and Mr. Speaker—46.

Those who voted in the negative are,

Messrs. Allen, Alley, Bowen, Brown of Randolph, Butler, Carnahan of Fountain, Chandler, Cotton, Defrees, Dodd, Dougherty of Elkhart, Elder, Gessie, Goodwin, Graves, Harvey, Hill, Huey, Keeney, Knowlton, Lane, Lank, Leviston, May, Miller of M. and F., Millikin, Morrison, Murray, O'Neal, Orr, Prather, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Salter, Shelby, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Warriner, Weaver, and Whinery—46.

So the joint resolution was not committed.

Mr. Patterson moved that the House adjourn ;

Which motion did not prevail.

Mr. Dodd moved to lay the amendment on the table ;

Which motion prevailed.

Mr. Connor offered the following amendment :

Strike out all after the resolving clause and insert—

That in the opinion of the General Assembly of the State of Indiana, Calafornia ought not to be denied admission as a State of this Union because she excludes slavery from her borders.

2. *Resolved*, That slavery ought not to be extended by Congress to any of the territories of the United States now free.

3. *Resolved*, That the Governor be requested to transmit a copy of this joint resolution to each of our Senators and Representatives in Congress.

Which amendment was not adopted.

On motion by Mr. Wilson,

The House adjourned to meet at 2 o'clock, P M.

Two o'clock, P. M.

House met.

When the House adjourned the following joint resolution was under consideration :

No. 82. A joint resolution on the subject of admitting slave territory.

The question being on the engrossment of the joint resolution,

Mr. Cravens moved to so amend said joint resolution that nothing shall be so construed as to effect State sovereignty ;

Which was not adopted.

Mr. Prather moved the previous question ;

Which was seconded by the House.

The question then being, shall the main question be now put ?

The ayes and noes being demanded by Messrs. Butler and Millikin,

Those who voted in the affirmative are,

Messrs. Allen, Alley, Athon, Barker, Beard, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Campbell, Carnahan of F., Chandler, Cleaver, Cotton, Defrees, Delavan, Edwards, Elder, Ellis, Gessie, Goodwin, Graves, Harney, Hart, Harvey, Hill, Hillis, Holcomb, Huey, Keeney, Knowlton, Landiss, Lane, Lank, Leviston, May, Mickle, Miller of M. and F., Miller of Owen, Millikin, Morrison, Murray, O'Haver, O'Neal, Orr, Patterson, Prather, Richardson, Robinson of Decatur, Robinson of Laporte, Robson, Ross, Rush, Russell, Salter, Shelby, Shepard, Spencer, Stewart, Stone, Stoops, Thom, Tinbrook, Warriner, Warrkins, Weaver, Weir, Wilson, Whinery, and Yocum—74.

Those who voted in the negative are,

Messrs. Carnahan of Posey, Cravens, Dougherty of Boone, Dougherty of Elkhart, Farnesly, Gentry, Greathouse, Hicks, Humphreys, Johnson, Menaugh, Niblack, Sherrod, Thomas, Wells, Withers, Mr. Speaker—17.

So the main question was ordered to be now put.

The question then recurring on the main question, which was, shall the joint resolution be engrossed ?

The ayes and noes being demanded by Messrs. Lane and Robinson of Decatur,

Those who voted in the Affirmative are,

Messrs. Allen, Alley, Beard, Bowen, Brown of Randolph, Burnet, Butler, Campbell, Carnahan of Fountain, Chandler, Cole, Cotton, Defrees, Dalavan, Dougherty of Elkhart, Edwards Elder, Gessie, Goodwin, Graves, Harvey, Hill, Hillis, Holcomb, Huey, Keeney, Knowlton, Landiss, Lane, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Millikin, Morrison, Murray, O'Neal, Orr, Prather, Robinson of Decatur, Robinson of Laport, Robson, Ross, Rush, Russell, Salter, Shelby, Shepard, Spencer, Stewart, Stone, Stoops, Thom, Tinbrook, Warriner, Watkins, Weaver, Weir, Wilson, and Whinery—61.

Those who voted in the negative are,

Messrs. Athon, Barker, Bird, Brown of Shelby, Byers, Caldwell, Carnahan of Posey, Cleaver, Cravens, Dougherty of Boone, Ellis, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Hicks, Humphreys, Johnson, Menough, Miller of Owen, Niblack, O'Haver, Patterson, Richardson, Sherrod, Wells, Withers, Yocum, and Mr. Speaker—31.

So the joint resolution was ordered to be engrossed.

On motion by Mr. Shelby,

The order of business was suspended, and the following message from the Senate taken up.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution :

Resolved, That the House of Representatives be respectfully requested to return to the Senate bill of the House No. 73, entitled, "a bill to amend an act entitled, an act to incorporate the Lafayette Insurance Company," approved February 8, 1836, and that the Secretary inform the House of the adoption of this resolution.

Which resolution was concurred in by the House.

Ordered, That the Clerk return said bill to the Senate.

On motion by Mr. Edwards,

The order or business was suspended.

On motion by Mr. Edwards,

Resolved, That the committee on claims, to whom was referred

the petition of J. H. Cutter, relative to the loss of a State bond, are hereby authorized and directed to return said petition to said Cutter, and that they are also discharged from the further consideration of the same.

On motion by Mr. May,
The order of business was suspended.
On motion by Mr. May,

Resolved, That the Superintendent of common schools be requested to communicate to this House his views respecting our present school laws, and suggest such amendments as would, in his opinion, advance the cause of common school education.

On motion by Mr. Menaugh,
The order of business was suspended.
On motion by Mr. Menaugh,

Resolved, That the Auditor be requested to report to this House, at as early a day as possible, the proceedings had in a certain suit, to-wit: Patrick McGinley vs. the State of Indiana ; also, the amount of judgment (if any) obtained by said Patrick McGinley against said State ; also, the amount audited for payment (if any) and to whom ; also, the amount of expenses in maintaining said suit, the names of persons claiming under the head of expenses, and the amount of each claimant.

On motion by Mr. Goodwin,
The order of business was suspended.
Mr. Goodwin offered the following resolution :

Resolved, That the committee on the judiciary be requested to inquire the expediency of so changing the present execution laws of this State so that it will not be the duty of the Sheriff or other officer to return any execution in his hands to the officer issuing the same, until he has made the principal, interest, and cost accruing thereon, or where no property can be found, and report by bill or otherwise.

Which was not adopted.

ORDERS OF THE DAY.

House Bills on second reading.

No. 85. A joint resolution in relation to a mail route from Stilesville, in Hendricks county, to Gosport, in Owen county, in the State of Indiana ;

Was read a second time ;

Mr. Edwards moved to lay the joint resolution on the table ;

Which motion did not prevail.

The joint resolution was ordered to be engrossed.

No. 84. A joint resolution in relation to slavery in the District of Columbia ;

Was read a second time ;

Mr. Withers moved to lay the joint resolution on the table ;

Which motion prevailed.

No. 85. A joint resolution in relation to the officers and soldiers of the war of 1812 ;

Was read a second time ;

Mr. Prather moved to refer the joint resolution to the committee on military affairs ;

Which motion prevailed.

Mr. Wilson moved to dispense with the orders of the day, and commence with the regular order of business :

Which motion did not prevail.

No. 86. A joint resolution in relation to the admission of States into the Union ;

Mr. Withers moved to lay the joint resolution on the table ;

The ayes and noes being demanded by Messrs. Butler and Murray :

Those who voted in the affirmative were,

Messrs. Allen, Athon, Barker, Bird, Brown of Randolph, Brown of Shelby, Burnett, Byers, Caldwell, Carnahan of Posey, Cleaver, Conoway, Cotton, Cravens, Delavan, Dougherty of Boone, Dougherty of Elkhart, Edwards, Ellis, Essex, Farnesly, Gentry, Goodwin, Greathouse, Harney, Hart, Hicks, Holcomb, Humphreys, Hunter, Johnson, Landis, Lane, Menaugh, Mickle, Miller of M. and F., Miller of Owen, Niblack, O'Haver, Reed, Richardson, Robson, Ross, Salter, Shepard, Sherrod, Spencer, Thomas, Warriner, Watkins, Weaver, Wells, Weir, Wilson, Withers, Yocum, and Mr. Speaker—57.

Those who voted in the negative were,

Messrs. Alley, Beard, Bowen, Butler, Campbell, Carnahan of Fountain, Chandler, Cole, Conner, Defrees, Dodd, Elder, Gessie, Graves, Harvey, Hill, Hillis, Huey, Keeney, Knowlton, Lank, Leviston, May, Millikin, Morrison, Murray, O'Neal, Orr, Patterson, Prather, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Shelby, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, and Whinery—42.

So the joint resolution was laid on the table.

No. 87. A joint resolution on the subject of mileage.

Mr. Salter offered the following amendment :

“That His Excellency the Governor be requested to transmit to each of our Senators and Representatives in Congress, a copy of the foregoing joint resolution.”

Mr. Dougherty of Boone, moved to lay the joint resolution and amendment on the table.

Which motion prevailed.

No. 88. A joint resolution on the subject of a Railroad from St. Louis to San Francisco;

Was read a second time;

Mr. Edwards moved to refer the joint resolution to a select committee of three.

Which motion prevailed.

The Speaker appointed Messrs. Edwards, Prather, and Shepard, said committee.

No. 89. A bill to incorporate the Grand Royal Arch Chapter, of the State of Indiana;

Was read a second time.

Mr. Brown of Randolph, moved to refer it to the committee on corporations.

Which motion prevailed.

No. 90. A bill to amend an act entitled, "An act to re-charter the Hanover College;"

Was read a second time and ordered to be engrossed.

No. 91. A bill to incorporate the Danville and Rockville Plank Road Company;

Was read a second time, and,

On motion by Mr. Lane,

Referred to a select committee, consisting of members representing the counties through which the road was located, viz:

Messrs. Lane, Allen, Johnson, Tinbrook, and Russell.

No. 92. A bill for the relief of borrowers of the school and other funds from county officers;

Was read a second time and ordered to be engrossed.

No. 93. A bill more effectually to protect the property of married women;

Was read a second time, and,

On motion by Mr. Cole,

Referred to the committee on the judiciary.

No. 94. A bill to reduce the fees and emoluments of the Auditor and Treasurer of Steuben county;

Was read a second time and ordered to be engrossed.

No. 95. A bill relative to delinquent taxes;

Was read a second time, and,

On motion by Mr. Mickle,

Referred to the committee of ways and means.

No. 96. A bill to amend the charter of the Logansport and Rochester Michigan Road Company;

Was read a second time, and

On motion by Mr. Miller of M. and F.,

Referred to the committee on corporation.

No. 97. A bill providing for the taxation of all lands that may have been entered since the 26th of January, 1847, or that may hereafter be sold;

Was read a second time.

Mr. Cole moved to indefinitely postpone the bill.

Mr. Harney moved to lay the bill on the table.

Which motion prevailed.

No. 98. A bill to enable the owners of mill property, the better to protect and improve the same ;

Was read a second time, and ordered to be engrossed.

No. 99. A bill fixing the salaries of Auditor and Treasurer of Allen county ;

Was read a second time, when,

On motion by Mr. Bird,

The bill was referred to a select committee consisting of Messrs. Bird, Mickle and Huey.

No. 100. A bill more effectually to prevent the withdrawal from this State, and its investment in other States of the active capital of the citizens of Indiana, by further regulating the interest on money ;

Was read a second time, and,

On motion by Mr. Holcomb,

Was laid on the table.

No. 101. A bill to change the time of holding the board of equalization, in the county of Warren ;

Was read a second time, and ordered to be engrossed.

No. 102. A bill to appropriate part of the school funds in the county of Warren ;

Was read a second time and ordered to be engrossed.

On motion by Mr. Bird,

Bill of the House

No. 55. A bill to provide for the payment of jury fees in civil cases in the Allen Circuit Court ;

Was taken from the table and placed on the files of the House.

No. 103. A bill regulating the license of traveling merchants and pedlars ;

Was read a second time.

Mr. Defrees moved to refer the bill to a select committee of three ;

Which motion did not prevail.

Mr. Delavan moved to lay the bill on the table ;

Which motion did not prevail.

Mr. Robson moved to amend by striking out the bill from the enacting clause, and inserting the following :

That every hawker or pedlar who may desire to hawk or peddle any goods, wares, merchandize, or clocks throughout this State, shall on the payment of fifty dollars for the use of said State to the Treasurer of State be entitled to receive a license authorizing him to pursue such occupation in every county of the State.

Any hawker or pedlar may procure a license for a single county, on the payment to the county treasurer of said county for the use of the county, ten dollars.

Any person pursuing the occupation of a hawker or pedler within this State or any county thereof without license, shall forfeit and pay one half for the use of the person complaining thereof, and the other half for the use of the State, the sum of one hundred dollars to be recovered by action of debt in the name of the State of Indiana, before any justice of the peace, subject to appeal to the circuit court as in other cases: *Provided*, that this section shall not apply to persons whose ordinary occupation is not that of a pedler, nor to those engaged in vending articles manufactured in this State.

This act to take effect from and after its passage.

Mr. Shepard moved to refer the bill with the pending amendments, to the committee on the judiciary;

Which motion prevailed.

No. 104. A bill to locate a State road in the counties of Howard and Miami;

Was read a second time and ordered to be engrossed.

On motion by Mr. Murray,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 105. A bill to vacate the alleys in the town of Cumberland;

Was read a second time and ordered to be engrossed.

On motion by Mr. Robson,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 106. An act for the better improvement of the roads in the county of Grant;

Was read a second time and ordered to be engrossed.

No. 107. A bill for the relief of Henry Berst and Titus G. Berst;

Was read a second time, and

On motion by Mr. Graves,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

The Speaker laid before the House the following communication from the Trustees of the Wabash and Erie Canal:

INDIANAPOLIS, *December 18th*, 1849.

HON. GEORGE W. CARR,

Speaker of the House of Representatives:

SIR:—In reply to a resolution of the House of the 13th instant, requesting the Trustees of the Wabash and Erie Canal to communicate to the House their reasons for not complying with sections 23, 24, 25, and 26 of an act entitled "an act supplementary to an act to provide for the funded debt of the State of Indiana, &c.," ap-

proved January 27, 1847, revived by an act to extend the time for appraising certain lands belonging to the Wabash and Erie Canal, approved February 15th. 1848, I have the honor to state that all the information required by the said resolution will be found in the annual reports of the Trustees to the General Assembly made in December 1848 and 1849.

Very respectfully, sir, your obedient servant,

CHARLES BUTLER,

President of the Board of Trustees.

On motion by Mr. Holcomb,

The order of business was suspended.

Mr. Holcomb then offered the following resolution :

Resolved, That the Auditor of Public Accounts be requested to furnish forthwith to this House, a report in relation to that portion of the Central Canal lying between Indianapolis and the Broad Ripples; also, the mills at the White river Bluffs, setting forth the amount of tolls received for water privileges, also the amount expended for repairs, and compensation of Superintendent — the amount due and unpaid by each lessee since the first day of January, 1843 ;

Which resolution was adopted.

On motion by Mr. Robson,

The vote on the adoption of the resolution was re-considered.

Mr. Robson then offered the following amendment to the resolution :

Insert in the proper place—

All the mills between Broad Ripple, and the feeder dam, in Morgan county ;

Which amendment prevailed.

The question then recurring on the adoption of the resolution, as amended,

Was decided in the affirmative.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill, with the engrossed bill of the House, and find the same correctly enrolled :

No. 3. An act to compel non-resident land owners to pay a road tax equal to that paid by resident proprietors.

Whereupon,

The Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Bird,
The order of business was suspended.

On motion by Mr. Bird,

Resolved, That the committee on canals and internal improvements have power to send for persons and papers, so far as relates to the abolishing the office of Superintendent of the Northern Division of the Central Canal.

On motion by Mr. Stone,
The House adjourned.

WEDNESDAY MORNING, 9 o'clock, December 19, 1849.

House met pursuant to adjournment.

The journal being partly read—

Mr. Robinson of Decatur moved to dispense with the further reading of the same ;

Which motion did not prevail.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendment of the House to the engrossed amendment of the Senate, to the engrossed bill of the House,

No. 5. An act authorizing the county Commissioners of Clark county to establish an additional place of holding elections in Wood township, in said county.

PETITIONS &c., PRESENTED.

By Mr. Whinery,

The petition of citizens of Mishawaka, St. Joseph, for the establishment of a State Orphan Asylum ;

Which,

On motion by Mr. Whinery,

Was referred to the committee on benevolent and scientific institutions.

By Mr. Robson.

The petition of J. L. Jernegan, Godlove S. Orth, and others, citizens of Indiana, for the establishment of a State Orphan Asylum ;
Which,

On motion by Mr. Robson,

Was referred to the committee on benevolent and scientific institutions.

By Mr. Robson,

Four petitions of citizens of Marion county, relative to amending or repealing the school law of the last session ;

Which,

On motion,

Was referred to the select committee on the same subject, consisting of

Messrs. Hunter, Robson, and Johnson.

By Mr. Cotton,

The petition of George C. Dunn, Reason Huston, and others, citizens of Whitley county, relative to a change in the road law of the last session ;

Which,

On motion,

Was referred to a select committee, consisting of

Messrs. Mickle, Huey, and Cotton.

By Mr. Robson,

The petition of citizens of Marion county, for the establishment of a State Orphan Asylum ;

Which,

On motion,

Was referred to the committee on benevolent and scientific institutions.

By Mr. Carnahan of Posey,

The petition of citizens of Posey county, for the enactment of a law exempting homesteads from execution ,

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Cotton,

The Temperance memorial of citizens of Whitley county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Holcomb,

The petition of the committee appointed by the owners of land in the seminary township in Gibson county, to employ counsel, and take such other steps as may be necessary to defend their houses from the claims brought against them by Samuel Judah and others ;

Which,

On motion,

Was referred to the committee on claims.

By Mr. Campbell,

The temperance memorial of citizens of Montgomery county;
Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Weaver,

The petition of citizens of Carroll county, on the subject of the salary of the compensation of the clerk of said county, for performing the duties of Auditor;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Weaver, Prather, and Warriner.

By Mr. Defrees,

The temperance memorial of citizens of Elkhart county;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Harvey,

The temperance memorial of citizens of Hamilton county;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Huey,

The temperance memorial of ladies of Adams and Jay counties;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Chandler,

The petition of George Liggit, for a divorce;

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Caldwell,

The remonstrance of the mayor and councilmen of the city of Jeffersonville, against the annexation of part of letter C to Port Fulton in Clark county;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Athon, Wilson, and Wells.

By Mr. Cole,

The petition of citizens of Miami county, for an Orphan Asylum;

Which,

On motion,

Was referred to the committee on benevolent and scientific institutions.

By Mr. Graves,

The petition of the Board of Commissioners of Kosciusko county;

Which,

On motion,

Was referred to a select committee, consisting of
Messrs. Graves, Brown of Randolph, and Shepard.

By Mr. Campbell,

The petition of citizens of Alamo, Montgomery county, for the incorporation of the "Alamo Sons of Reform."

Which,

On motion,

Was referred to a select committee, consisting of
Messrs. Campbell, Harney, and O'Neal.

By Mr. Caldwell,

The petition of sundry citizens, praying for a State Road from Pekin, in Washington county, to Sliders, (so called,) in Clark county ;

Which,

On motion,

Was referred to the committee on roads.

By Mr. Hicks,

The petition of citizens of Franklin, asking for an amendment of the act incorporating the town of Franklin ;

Which,

On motion,

Was referred to a select committee, consisting of
Messrs. Hicks, Connor, and Wells.

By Mr. Caldwell,

The petition of citizens of Jeffersonville, on the subject of a fire engine ;

Which,

On motion,

Was referred to the committee on the State Prison.

By Mr. Thomas,

The temperance memorial of citizens of Posey county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Caldwell,

The petition of the mayor and councilmen of the city of Jeffersonville, on the subject of distributing certain laws ;

Which,

On motion,

Was referred to a select committee, consisting of
Messrs. Caldwell, Athon, and Wilson.

REPORTS FROM COMMITTEES.

Mr. Dougherty of Boone, chairman of the committee on elections, made the following report :

MR. SPEAKER :

The standing committee on elections, to whom was referred the certificates of election of the respective members of the House, have examined the same, and directed me to report that they find the following named persons were duly elected and returned Representatives to this House, (excepting William B. Richardson, whose right to a seat here was previously ascertained and allowed by this House,) at the general election on the first Monday in August last, and are as follows, to-wit:

From the county of Allen—Ochmig Bird.

From the counties of Adams and Welis—Samuel S. Mickle.

From the county of Bartholomew—Gideon B. Hart and Thomas Essex.

From the county of Boone—Lorenzo C. Dougherty.

From the counties of Cass and Howard—Charles D. Murray.

From the county of Carroll—Samuel Weaver.

From the county of Clark—James S. Athon and James D. Caldwell.

From the county of Clay—Francis B. Yocum.

From the counties of Clinton and Tipton—Ephraim Byers.

From the county of Crawford—John Landiss.

From the counties of Dekalb and Steuben—Edward R. May.

From the county of Delaware—Samuel Orr.

From the county of Dearborn—Joseph F. Watkins and Daniel Conaway.

From the county of Decatur—William J. Robinson.

From the county of Davis—Benjamin Goodwin.

From the county of Dubois—Henry W. Barker.

From the county of Elkhart—Michael C. Dougherty and Joseph H. Defrees.

From the county of Fayette—Charles M. Stone.

From the county of Floyd—Joshua P. Farnsley.

From the county of Fountain—Andrew M. Carnahan.

From the county of Franklin—John Cleaver and Andrew J. Ross.

From the counties of Fulton and Marshall—Hugh Miller.

From the county of Gibson—Silas M. Holcomb.

From the county of Green—Andrew Humphreys,

From the county of Grant—John W. Dodd.

From the county of Hamilton—Thomas Harvey and William Stoops.

From the county of Hancock—John Alley.

From the county of Hendricks—Samuel A. Russell.

From the county of Henry—Simon Summers and Samuel W. Stewart.

From the county of Harrison—George P. R. Wilson.

From the counties of Huntington and Whitley—John S. Cotton.

From the county of Knox—Horace B. Shepard.

From the county of Kosciusko—William C. Graves.

- From the county of Laporte—Alexander H. Robinson and William Millikin.
- From the counties of Lake and Porter—Lewis Warriner.
- From the counties of Lagrange and Noble—Rufus D. Keeney.
- From the county of Lawrence—George W. Carr.
- From the county of Madison—Evan Ellis.
- From the county of Martin—William E. Niblack.
- From the county of Marion—Isaac W. Hunter and William Robson.
- From the counties of Miami and Wabash—Alphonso A. Cole.
- From the county of Montgomery—William Campbell and James H. Harney.
- From the county of Morgan—Alfred M. Delavan.
- From the counties of Monroe and Brown—Samuel Gentry.
- From the counties of Jasper, Pulaski, White and Benton—William H. Salter.
- From the counties of Jay and Blackford—Robert Huey.
- From the county of Jackson—Samuel T. Wells.
- From the county of Jefferson—William C. Hillis, Alexander C. Thom, and John H. Bowen.
- From the county of Jennings—Hiram Prather.
- From the county of Johnson—Gilderoy Hicks.
- From the county of Owen—James F. Miller.
- From the county of Orange—William F. Sherrod.
- From the counties of Ohio and Switzerland—John W. Spencer, and John W. Wright.
- From the county of Parke—Samuel H. Johnston and Andrew Tinbrook.
- From the county of Perry—Frederick Connor.
- From the county of Posey—Magnus F. Carnahan and George W. Thomas.
- From the county of Pike—James R. Withers.
- From the county of Putnam—William D. Allen and Higgins Lane.
- From the county of Randolph—James Brown and Elisha Lank.
- From the county of Ripley—Hiram Knowlton.
- From the county of Rush—Greenberry Rush and Henry B. Hill.
- From the county of Scott—Alonzo H. Morrison.
- From the county of Shelby—George W. Brown.
- From the county of Sullivan—James R. O'Haver and James H. Weir.
- From the county of St. Joseph—Mark Whinery.
- From the county of Spencer—William B. Richardson.
- From the county of Tippecanoe—Thomas H. O'Neal, Isaac Shelby, and A. L. Patterson.
- From the county of Union—James Leviston.
- From the county of Vanderburgh—William R. Greathouse.
- From the county of Vermillion—Robert J. Gessie.
- From the county of Vigo—William K. Edwards and Linus A. Burnett.

From the county of Washington—James A. Cravens and John L. Menaugh.

From the county of Wayne—James Elder, Oliver Butler, and Isaac A. Beard.

From the county of Warren—Robert A. Chandler.

From the county of Warrick—Armon Reed.

Which report was concurred in.

Mr. Mickle, chairman of the committee of ways and means, made the following report :

MR. SPEAKER :

The standing committee on ways and means, to whom was referred bill of the House, No. 58, entitled an act for the relief of delinquent tax payers, have, according to order, had that subject under consideration and unanimously directed me to report that in the opinion of this committee, legislation on that subject is inexpedient, therefore they ask to be discharged from the further consideration of the subject.

The question being on concurring in the report of the committee, The ayes and noes being demanded by Messrs. Orr, and Dougherty of Elkhart,

Those who voted in the affirmative are,

Messrs. Allen, Alley, Athon, Barker, Beard, Bird, Brown of Randolph, Brown of Shelby, Burnet, Butler, Caldwell, Cleaver, Cole, Conaway, Connor, Cotton, Cravens, Defrees, Delavan, Dodd, Dougherty of Boone, Elder, Essex, Farnesley, Graves, Greathouse, Hart, Harvey, Hicks, Hill, Hillis, Holcomb, Huey, Hunter, Johnson, Keeney, Knowlton, Landiss, Lane, Lank, Leviston, May, Menaugh, Mickle, Miller of Marshal and Fulton, Miller of Owen, Millikin, Morrison, Murray, Niblack, O'Haver, O'Neal, Patterson, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Robson, Ross, Rush, Russell, Salter, Shelby, Shepard, Sherrod, Spencer, Stone, Stoops, Summers, Thom, Tinbrook, Warriner, Watkins, Wells, Wilson, Yocum, and Mr. Speaker—77.

Those who voted in the negative are,

Messrs. Bowen, Byers, Carnahan of Fountain, Carnahan of Posey, Chandler, Dougherty of Elkhart, Edwards, Ellis, Gentry, Gessie, Goodwin, Humphreys, Orr, Prather, Stewart, Thomas, Weaver, Withers, and Whinery—19.

So the report was concurred in.

Mr. Brown of Shelby, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred certain resolutions of the House, instructing said committee to inquire into the expediency of modifying or repealing all laws now in force in this State, requiring property levied upon by execution to be appraised, have had that subject under consideration and a majority of said committee have directed me to report that there are certain bills now pending before this House, that will afford ample relief on said subject.

Therefore, in view of said fact, a majority of your committee have directed me to report that in their opinion, legislation on that subject, at this time, would be inexpedient, and ask to be discharged from further consideration of said resolution.

Which report was concurred in.

Mr. Thom, from the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to whom was referred House bill, No. 153, entitled a bill to amend section 141, of chapter 35, of the revised laws of 1843, relating to the duties of overseers of the poor, have had the same under consideration and directed me to make the following amendment, and when so amended, would respectfully recommend its passage ; and your committee ask to be discharged from the further consideration thereof.

Strike out all after the enacting clause and insert the following :

"That the requirements contained in the 141st section, of chapter 35, of the revised statutes of 1843, be wholly optional and discretionary with overseers of the poor, so far as the same may apply to colored children."

Which was concurred in.

The bill as amended, was ordered to be engrossed.

Mr. Hunter, chairman of the committee on the affairs of the town of Indianapolis, made the following report :

MR. SPEAKER :

The committee on the affairs of the town of Indianapolis, to whom was referred the petition of sundry officers of State, praying an appropriation for the benefit of the Independent Relief Fire Engine and Hose Company, have had the same under consideration and directed me to report the following bill and recommend its passage.

No. 196. A bill making an appropriation to the Independent Relief Fire Engine and Hose Company, No. 1 ;

Which was read a first time and passed to a second reading.

Mr. Hunter moved to suspend the rules and read the bill a second time ;

Which motion did not prevail.

The Speaker laid before the House, the following communication from the Auditor of State :

STATE AUDITOR'S OFFICE, }
December 19, 1849. }

HON. GEO. W. CARR

Speaker of the House of Representatives :

SIR—I have received by one of the messengers, the following resolution of the House of Representatives, adopted on yesterday, viz :

Resolved, That the Auditor of State be requested to report to this House, at as early a day as practicable, the proceedings had in a certain suit, viz: McGinley vs. the State of Indiana; also, the amount of judgment (if any) obtained by said McGinley against said State; also, the amount audited for payment, (if any) and to whom; also, the amount of expenses in maintaining said suit, the names of persons claiming under the head of expenses, and the amount of each claimant."

In compliance with this resolution, so far as relates to the proceedings had, and the amount of judgment obtained against the State by McGinley, I transmit to the House a copy of so many of the papers filed with me as will give all the information in my possession.

No. 1 is a copy of the award in favor of McGinley against the State, containiag the amount found by the arbitrators in favor of McGinley, and also the costs allowed.

No. 2 is a copy of a power of attorney from McGinley to Paris C. Dunning for five thousand one hundred and forty-three dollars of the amount of the said award.

No. 3 is a copy of a compromise between Paris C. Dunning, as Governor of the State, and Patrick McGinley, by which McGinley agrees to receive sixteen thousand dollars in full of his claim against the State, under the award above mentioned.

It will be observed that the award allows Mr. McGinley the sum of \$21,143. Of this amount there has been audited to him, and to be paid the first of March next, according to the compromise, the sum of \$16,000. No other claims have been audited. I declined auditing the claims presented of attorneys, for fees, because I did not conceive I had any law to justify me in doing so. I thought it necessary before doing so, either that the legislature should fix the

amount to be paid, or appoint some person or persons to do so. I declined auditing any of the claims of the arbitrators, because neither the law authorizing the suit, nor the award, says anything about the amount to be allowed them, and I supposed the legislature would be the proper tribunal to make the allowance. I have postponed auditing the costs allowed by the award, because I had doubts of the rights of the arbitrators to make gross allowances for costs without setting forth the items for which the allowances were made. I was the more inclined to this course by the fact that the legislature could sanction the claims, either by a special act, or by a section in the specific appropriation bill.

There has been paid by order of the Governor out of the contingent fund, of which he has the entire control, the following amounts, viz: To Messrs. Quarles and Walpole, \$500; and to Mr. James Hughes, \$500—both for counsel fees—and to Mr. S. H. Buskirk, who was an arbitrator during a portion of the trial, \$105 75.

I cannot fully answer the last branch of the resolution which calls for “the amount of expenses in maintaining said suit, the names of persons claiming under the head of expenses, and the amount of each claimant,” because the claims have not all been presented. In addition to the \$260 allowed in the award, and the \$1,105 75 paid out of the contingent fund, Mr. Buskirk claims the additional sum of \$54 75.

Three other gentlemen who served as arbitrators, (two of them all the time, and the other in the place of Mr. Buskirk, after he resigned,) have claims, the amount of which is not exactly known to me, and the prosecuting attorney of the Floyd circuit court, (who was directed by the law to attend on the part of the State,) also has a claim, the amount of which is unknown.

The enclosed papers contain every thing on file in relation to the award, except a power of attorney from McGinley to Samuel H. Patterson, authorizing said Patterson to draw the money awarded against the State.

Respectfully submitted,

DOUGLAS MAGUIRE,
Auditor of State.

Be it remembered, That on the 13th day of October, A. D. 1849, there was filed in the office of the Floyd circuit court an award as follows, viz:

State of Indiana, Floyd County, S.S.

The undersigned, John J. Cummins, John Brown, and Fred. T. Butler, having, pursuant to an act of the General Assembly of the State of Indiana, which became a law February 11, 1848, and is entitled “an act for the relief of Patrick McGinley, been appointed by the Governor of said State arbitrators to examine and allow or refuse the claim of said McGinley in whole or in part against said State, for damages alleged to have been sustained by him for ma-

materials furnished and work done by him on the Silver creek bridge, and preparations made therefor, after having been severally sworn as such arbitrators, and after having given thirty days' notice to said McGinley, and to Willett Bullitt, Esq., the attorney for said State in that behalf, of the time and place of meeting to consider said claim, met at the court house in New Albany, in said county, on the 1st day of October, 1849, said McGinley and said Bullitt for the said State attending, and adjourned from time to time to this 13th of October, 1849.

And after having heard the proof of said parties in regard to said claim, and the arguments of counsel, and after due deliberations had, said arbitrators do find and award: 1st, That the State of Indiana pay the sum of thirteen thousand five hundred dollars and interest thereon from May 6, 1840, to this day, to-wit; seven thousand six hundred and forty-three dollars, making together twenty-one thousand one hundred and forty-three dollars: 2d, That said State pay the costs and expenses of this arbitration, taxed at \$260, to-wit: to Thomas B. Walker, a bailiff of said arbitration, one hundred dollars; to David Reynolds, as clerk of said arbitration, one hundred dollars; to George V. Hawk, as clerk of said arbitration, fifty dollars; and to Isaac N. Aiken, clerk of the Floyd circuit court, for bringing in records and files from his office, &c., ten dollars.

All which is finally awarded this 13th day of October, 1849.

Signed,

JOHN J. CUMMINS, (Seal.)

JOHN BROWN, (Seal.)

F. T. BUTLER, (Seal.)

State of Indiana, Floyd County, S.S.

I, Isaac N. Aiken, Clerk of the Floyd Circuit Court, do certify, that the foregoing is a full, true, and perfect copy of an award made by the arbitrators therein named, and by them filed in my office, on said 13th day of October, 1849, and remaining on file therein, from which no appeal has yet been taken or ordered.

[L. S.] Witness my hand and the seal of said court at New Albany, this 12th day of November, 1849.

Signed,

I. N. AIKEN, Clerk.

Know all Men by these Presents, That I, Patrick McGinley, of the county of Jefferson and State of Kentucky, have, and do this eighth day of November, in the year 1849, make, ordain, constitute, and appoint Paris C. Dunning, of the State of Indiana, my true and lawful attorney, for me and in my name, place, and stead, to ask, demand, recover, and receive of and from the proper authorities or officers of the State of Indiana, the sum of five thousand and one hundred and forty-three dollars, and the interest accruing thereon from the date of a certain award made in my favor on the 13th day of October, 1849, by John Brown, John J. Cummins, and Frederick T. Butler, arbitrators appointed by virtue of an act of the Legis-

lature of the State of Indiana, passed by the Senate on the 9th day of February, 1848—the objections of the Governor of said State of Indiana to the contrary notwithstanding—and the House of Representatives on the 11th of February, 1848, entitled, “An act for the relief of Patrick McGinley;” said award being for the sum of thirteen thousand five hundred dollars principal, and seven thousand six hundred and forty-three dollars interest; and I hereby give and grant my said attorney full power and authority, in and about the premises, for the accomplishment of the purpose aforesaid, and upon the receipt of said sum of money, being a part of said award so due, as aforesaid, from the State of Indiana, or upon the receipt of warrants for the same, for me and in my name to make, seal, and deliver acquittances or other sufficient discharges, and generally to do and perform all other acts and things necessary to be done and performed in and about the premises, as amply and fully as I myself might do, if personally present, and I do hereby ratify and confirm whatever my said attorney may do in the premises, by virtue of these presents, and when so collected, I do hereby fully authorize and empower my said attorney to dispose of said sum of money or warrants in any way that he may desire, without in any way being responsible to me, I having received a valuable consideration therefor.

In testimony whereof, I have hereunto set my hand and seal the eighth day of November, in the year 1849.

I hereby evoke a power of attorney heretofore given on the 12th October, 1849, to Samuel H. Patterson, for the sum mentioned in the foregoing power of attorney, and no further.

Signed,

P. MCGINLEY.

Signed, sealed, and delivered in presence of us.

Signed,

J. G. CLINE,

S. H. PATTERSON.

State of Kentucky, Jefferson County, S.S.

This day Patrick McGinley came personally before me, and acknowledged the power of attorney to be his act and deed for purposes therein mentioned.

[L.S.] In witness whereof, I, James J. Dozier, Notary Public for the said county of Jefferson, have hereunto affixed my seal this 8th day of November, Anno Domini, 1849.

Signed,

JAMES J. DOZIER, N. P. J. C.

It is agreed by Paris C. Dunning, as the Governor of the State of Indiana, and Patrick McGinley, that the said Patrick McGinley and said Dunning compromise a certain award made on the 13th of October, 1849, in favor of said McGinley and against said State, for twenty-one thousand one hundred and forty-three dollars, as the sum to be paid said McGinley of sixteen thousand dollars, and that said Dunning pay for the State, out of the residue of said award;

such costs as he may deem right and proper, and to release as he may wish the residue of said sum to the said State, and that the said McGinley will not demand absolute payment of the said sum of sixteen thousand dollars until the 1st day of March 1850, unless the Treasurer of the State of Indiana can conveniently pay the same.

Witness our hands this 8th day of November, 1849; and it is further agreed that if the said Dunning shall, upon a full examination of the testimony in this case, be of opinion that it is his duty to appeal said cause to the Supreme Court of Indiana, that he is to do so; and then the power of attorney this day executed by said McGinley to said Dunning is to be null, and the said McGinley does not waive his rights under said award and the law, nor is he to be considered as abating any part, nor the attempt to compromise to be used against him on a further trial of the same.

Witness our hands on the day and year first aforesaid.

Signed, PARIS C. DUNNING, Gov. of Ind.
P. MCGINLEY.

Attest: S. H. PATTERSON.

The following memorandum is made by Governor Dunning, at the bottom of the compromise, viz:

It was understood that the warrant would be issued upon the presentation of the award, but that the payment thereof was not to be demanded until the 1st day of March, 1850.

PARIS C. DUNNING.

On motion by Mr. Hillis,

The communication and accompanying papers were referred to the committee on the judiciary.

Mr. Wilson, chairman of the committee on canals and internal improvements, made the following report:

MR. SPEAKER:

The committee on canals and internal improvements, to which was referred a bill for the preservation of the North Port Feeder Dam, have had the same under consideration, and have directed me to report the same, with one amendment, and recommend its passage:

Add to the end of the first section—

Provided, The expenses of keeping said work in repairs shall not exceed the revenue derived from the same.

Which amendment was concurred in.

The bill as amended, was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Wilson, chairman of the committee on canals and internal improvement, made the following report :

MR. SPEAKER :

The committee on canals and internal improvements, to whom was referred a bill to amend an act, entitled an act to incorporate a company to construct a Railroad from Evansville, on the Ohio river, to connect with the Ohio and Mississippi Railroad, at or near Olney, in the State of Illinois via Princeton, Gibson county, Indiana, and Mt. Carmel, Illinois, have directed me to report the same back to the House, with one amendment, and recommend its passage.

Strike out in the last section, the word "destroy," and insert "materially interfere with."

Mr. Holcomb moved to concur with the following amendment :

Insert in the 19th line, between the words "of," and "Vincennes," "the town of Potoka, in Gibson county, and."

Mr. Carnahan of Posey, moved to lay the bill and amendment on the table ;

Which motion did not prevail.

Mr. Edwards moved to recommit the bill to the committee on canals and internal improvements.

Which motion prevailed.

Mr. Withers moved to instruct the committee to inquire whether the proposed Railroad would not run on or near the margin of the Wabash and Erie Canal, and that they believe said road would interfere with the rights which the bondholders have acquired, under their arrangement with the State ;

Which motion prevailed.

Mr. Allen, chairman of the committee on agriculture, made the following report :

MR. SPEAKER :

The committee, to whom was referred a resolution of the House, on the subject of agriculture and agricultural societies, have had the same under consideration and have directed me to report the following bill, and respectfully ask its passage.

Andrew Humphries dissents from the foregoing report.

No. 197. A bill relative to agricultural societies.

Which was read a first time and passed to a second reading.

Mr. Wilson moved to grant leave of absence to the committee on canals and internal improvements ;

Which was consented to by the House.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House, No. 178, entitled a bill to incorporate the Goodwin Female Institute, of Lafayette, have had the same under consideration and have directed me to report the same back to the House, without amendment, and respectfully recommend its passage.

Which bill was read a second time and ordered to be engrossed.

Mr. Whinery, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill, No. 89, incorporating the Grand Royal Chapter of Indiana, beg leave to report the bill with the following amendments, and recommend its passage :

Sec. 2. This act to be in force from and after its passage.

Which amendment was concurred in.

The bill as amended, was ordered to be engrossed.

Mr. Murray, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House, No. 96, entitled an act to amend the charter of the Logansport and Rochester Michigan Road Company, have had the same under consideration and have directed me to report the same back to the House, with the following amendments, upon the adoption of which, they respectfully recommend its passage :

Add at the end of the 7th section—

1. *Provided*, That said company, in constructing or repairing the same, shall not obstruct, unnecessarily, the travel on said road, without providing a passage around where the same is so obstructed.

2. Also, amend by inserting immediately after the word "three," in the first line of the second section of said bill, the word "consecutive," so as to make it read "three consecutive miles."

3. Also, at the end of the said 2d section, the following :

"*Provided*, That if the company shall not have completed two additional miles of said road, by the first of Nov. next, then and in that case, they shall be restricted from demanding tolls on any part of said road, until the two additional miles are completed."

4. Also, amend the 2d section by striking out the words, "used by the person in such," in the 8th line, and insert, "of the person guilty of such."

5. Also, amend the section in the 4th clause, by striking out "one-half cent," and inserting "one-quarter cent."

Mr. Miller of Marshall and Fulton, moved to concur with the following amendments :

In section 4, add—

1. "*Provided also*, said company or the superintendent of said road, shall have erected a saw mill in the county of Fulton, for the use of said road."

2. Strike out the word "unnecessarily," in the amendments to section 7.

The question being on concurring in the first amendment, was decided in the negative.

The question then being on concurring in the amendment of the committee, with the second amendment of Mr. Miller of M. and F., was decided in the affirmative.

Mr. Miller of Marshall and Fulton, moved to amend by inserting "that said company shall have made two miles on some other part of said road."

Which motion prevailed.

The bill as amended, was ordered to be engrossed.

On motion by Mr. Murray,

The order of business was suspended.

Mr. Murray, from the committee on education, made the following report :

MR. SPEAKER :

The committee on education, which was required by resolution of the House, to inquire if any legislation is necessary where the district school Trustees refuse to serve, and report by bill or otherwise, have, according to order, had that matter under consideration, and have directed me to report that, in the opinion of the committee, no legislation is necessary upon that subject.

The committee find ample provisions in the late revised law upon that subject, and they are not advised that any necessity exists for a more stringent law upon the subject in those counties which have not adopted said law. They, therefore, respectfully ask to be discharged from the further consideration of the subject.

Which report was concurred in.

On motion by Mr. Summers,

The order of business was suspended.

Mr. Summers presented,

The temperance memorial of citizens of Henry county ;

Which,

On motion,

Was referred to the select committee on the subject of temperance.

Mr. Ross presented,

A petition of citizens of Franklin county, on the subject of temperance ;

Which,

On motion,

Was referred to the select committee on the same subject.

Mr. Tinbrook presented,

A temperance memorial of citizens of Parke county ;

Which,

On motion,

Was referred to the select committee on the same subject.

Mr. O'Neal presented,

A temperance memorial of the citizens of Tippecanoe county ;

Which,

On motion,

Was referred to the select committee on the same subject.

On motion by Mr. Wilson,

The order of business was suspended.

On motion by Mr. Wilson,

Resolved, That the committee on canals and internal improvements be empowered to send for persons and papers, at their discretion, in regard to all matters connected with the affairs of the Northern Division of the Central Canal.

Mr. Connor, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to which was referred the petition of Jno. J. Lang, and others, in reference to county courts in Perry county, have directed me to report the following :

No. 198. A bill to extend the time of holding county courts in Perry county.

Which was read a first time and passed to a second reading.

Mr. Athon, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Lewis Chappell, of Bethlehem township, in the county of Clark, have had the same under consideration, have instructed me to report the accompanying bill and recommend its passage :

No. 199. A bill for the benefit of Lewis Chappell.

Which was read a first time and passed to a second reading.

Mr. Delavan, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Isaac Wilcox, on the subject of making a bridge or culvert across the State road in Morgan county, have had the same under consideration, and directed me to report the following bill, and recommend its passage :

No. 200. A bill to authorize Isaac Wilcox to construct a bridge or culvert over a State road, in the county of Morgan, therein described.

Which was read a first time and passed to a second reading.

Mr. Conaway, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Joseph Trester and others praying the repeal of the 4th and 5th section of an act to improve the roads in Centre township, have had the matter under consideration, and have directed me to report the following bill, and recommend its passage :

No. 201. A bill to repeal the 4th and 5th section of an act to improve the road in Centre township ;

Which was read a first time and passed to a second reading.

Mr. Wells, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Jackson county for the relief of Cain Dockry, have had the same under consideration, and have instructed me to report the following bill, and respectfully ask the concurrence of the House, and to be discharged from the further consideration of the same :

No. 202. A bill for the relief of Cain Dockry ;

Which was read a first time and passed to a second reading.

BILLS, &C., INTRODUCED.

By Mr. Chandler,

No. 203. A joint resolution to refund interest ;

Which was read a first time and passed to a second reading,

By Mr. Sherrod,

No. 204. A joint resolution on the subject of slavery ;

Which was read a first time.

Mr. Prather moved to reject the joint resolution.

The ayes and noes being demanded by Messrs. Carnahan of Posey and Humphreys :

Those who voted in the affirmative are,

Messrs. Beard, Bowen, Butler, Campbell, Cole, Conner, Defrees, Edwards, Elder, Goodwin, Graves, Harvey, Hill, Hillis, Keeney, Knowlton, Lane, Lank, May, Miller of Owen, Millikin, Morrison, Murray, O'Neal, Orr, Prather, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Shelby, Stewart, Stoops, Summers, Thom, Tinbrook, Wilson, and Whinery—38.

Those who voted in the negative are,

Messrs. Allen, Alley, Athon, Barker, Bird, Brown of Randolph, Brown of Shelby, Burnet, Byers, Carnahan of Posey, Caldwell, Chandler, Cleaver, Conaway, Cotton, Delavan, Dougherty of Boone, Dougherty of Elkhart, Ellis, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Hicks, Holcomb, Huey, Humphreys, Hunter, Johnson, Landiss, Leviston, Menaugh, Mickle, Miller of Marshall and Fulton, Niblack, O'Haver, Patterson, Read, Richardson, Robson, Ross, Salter, Shepard, Sherrod, Spencer, Thomas, Warriner, Watkins, Weaver, Wells, Weir, Withers, Yocum, and Mr. Speaker—55.

So the joint resolution was not rejected.

The joint resolution passed to a second reading.

By Mr. Edwards,

No. 205. A bill to amend an act entitled an act to incorporate the Terre Haute and Richmond Railroad company," approved January 26th, 1847 ;

Which was read a first time and passed to a second reading.

On motion by Mr. Allen,

The rules was suspended and the bill read a second time.

Mr. Lane offered the following amendment :

Amend by adding at the end of section 3d the following—

Provided, however, the provisions of this section shall not apply to the county of Putnam.

Mr. Allen moved to refer the bill to a select committee ;

Which motion prevailed.

The Speaker appointed Messrs. Allen, Edwards, Russell, Hunter, and Yocum said committee.

By Mr. Salter,

No. 206. A bill defining the duties of county treasurers, in several counties therein named ;

Which was read a first time, and passed to a second reading.

By Mr. Patterson,

No. 207. A bill for the relief of Hannah S. Martin ;
Which was read a first time and passed to a second reading.

By Mr. Niblack,

No. 208. A bill to repeal an act therein named, concerning
Sheriffs, so far as the same relates to the county of Martin ;
Which was read a first time and passed to a second reading.

By Mr. O'Haver,

No. 209. A bill relative to the Seminary in Sullivan county ;
Which was read a first time, and passed to a second reading.

By Mr. Burnett,

No. 210. A bill to incorporate the Terre Haute Insurance Com-
pany ;

Which was read a first time, and passed to a second reading.

On motion by Mr. Burnet,

The rules were suspended and the bill read a second time, and
Referred to the committee on corporations.

By Mr. Ross,

No. 211. A bill relative to the Board of Commissioners of Frank-
lin county ;

Which was read a first time and passed to a second reading.

On motion by Mr. Niblack,

The House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

The Speaker laid before the House the following communica-
tion :

OFFICE OF SUPERINTENDENT OF COMMON SCHOOLS, }
Indianapolis, December 19th 1849. }

HON. G. W. CARR,

Speaker of the House of Representatives :

SIR :—In answer to a resolution of the House of Representatives,
requesting the Superintendent of Common Schools to communicate
to the House his views respecting our present school laws, and to
suggest such amendments as would, in his opinion, advance the
cause of common school education, I have the honor to reply :—
That I consider it impracticable to supply the deficiencies of the

present school laws by means of an amendatory act, in such way as to render the law intelligible and plain to common understandings. The only remedy, in my opinion, calculated to benefit and advance the cause of common school education, is a complete revision and consolidation of all school laws.

Considering the near approach of the time for the meeting of a Convention to revise and modify the Constitution of the State, and the probability of new provisions regarding the school funds and school laws being introduced, and in view of the necessity which may arise, consequent upon alterations of the Constitution, for a complete revision of all our laws to be made, conformable to the new order of things, and the probability that such revision will occupy the attention of the first General Assembly which shall convene under the new Constitution, for these reasons, I consider the present an unpropitious time to attempt either a general revision of the law, or to supply all defects by way of amendments. I, however, suggest the propriety of amending the law of last winter, by making it general and absolute, the large majority of votes given in its favor, in my opinion, justifies such a proceeding, and a clause making the law absolute and general in its application, would at the same time settle the constitutional question.

Very respectfully,

Your most obedient servant.

SAMUEL HANNAH,
Supt. C. Schools.

On motion by Mr. Brown of Shelby,
The communication was referred to the committee on education.

ORDERS OF THE DAY.

House Bills &c., on Second Reading.

No. 108. A bill for the relief of William Sloan and Richard Sloan;

Was read a second time;

On motion by Mr. Graves,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 109. A joint resolution on internal improvements;

On motion by Mr. Brown of Shelby,

The joint resolution was laid on the table.

No. 110. A joint resolution on the subject of the completion of the Michigan City Harbor;

Was read a second time.

Mr. Brown of Shelby moved to lay the joint resolution on the table.

The ayes and noes being demanded by Messrs. Millikin and Whinery :

Those who voted in the affirmative are,

Messrs. Beard, Brown of Shelby, Carnahan of Posey, Cotton, Dougherty of Boone, Elder, Ellis, Essex, Farnesly, Goodwin, Great-house, Humphreys, Johnson, Menaugh, O'Haver, Thomas, Weir, and Withers—18.

Those who voted in the negative are,

Messrs. Allen, Alley, Athon, Barker, Bird, Bowen, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Campbell, Carnahan of Fountain, Cole, Conner, Cravens, Defrees, Delavan, Dodd, Dougherty of Elkhart, Edwards, Gentry, Graves, Harney, Hart, Harvey, Hicks, Hill, Hillis, Holcomb, Huey, Keeney, Knowlton, Landiss, Lane, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikin, Morrison, Murray, Niblack, O'Neal, Orr, Patterson, Prather, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Robson, Ross, Rush, Russell, Salter, Shelby, Shepard, Spencer, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Warriner, Watkins, Weaver, Wells, Wilson, Whinery, Yocum, and Mr. Speaker—75.

So the joint resolution was not laid on the table.

The question then being,

"Shall the joint resolution be engrossed?"

Was decided in the affirmative.

No. 111. A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana ;

Was read a second time and ordered to be engrossed.

No. 112. A joint resolution on the subject of colonizing the free negroes ;

Was read a second time.

On motion by Mr. Robinson of Decatur,

The joint resolution was laid on the table.

No. 114. A bill to incorporate the Jasper County Plank Road Company ;

Was read a second time.

On motion by Mr. Salter,

The bill was referred to the committee on corporations.

No. 115. A bill establishing an additional place of holding elections in the township of Monroe, in the county of Pike ;

Was read a second time.

On motion by Mr. Withers,

The bill was laid on the table.

No. 117. A bill to amend the 11th section of the act entitled an

act to reduce the salaries of the Governor of the State and other officers, approved January 14th, 1843 ;

Was read a second time.

Mr. Withers moved to lay the bill on the table.

Which motion, at request of Mr. Mickle, with the the understanding that it should be renewed, was subsequently withdrawn.

Mr. Mickle moved to lay the bill on the table.

The ayes and noes being demanded by Messrs. Lane and Withers,

Those who voted in the affirmative are,

Messrs. Allen, Alley, Athon, Barker, Beard, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Campbell, Carnahan of Posey, Chandler, Cleaver, Cole, Connor, Cotton, Cravens, Defrees, Delavan, Dougherty of Boone, Elder, Essex, Farnesly, Gentry, Goodwin, Greathouse, Hart, Harvey, Hicks, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Landiss, Lane, Lank, Leviston, May, Menaugh, Miller of Marshall and Fulton, Miller of Owen, Millikin, Morrison, Niblack, O'Neal, Orr, Patterson, Prather, Richardson, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Shepard, Spencer, Stewart, Stone, Stoops, Summers, Thom, Thomas, Tibbrook, Warriner, Watkins, Weaver, Wells, Withers, Whinery, and Yocum—74.

Those who voted in the negative are,

Messrs. Bird, Bowen, Carnahan of Fountain, Dodd, Dougherty of Elkhart, Edwards, Ellis, Graves, Harney, Hill, Hillis, Mickle, Murray, O'Haver, Reed, Robson, Salter, Shelby, Wilson, and Mr. Speaker.—20.

So the bill was laid on the table.

No. 118. A bill in relation to public roads and highways in Bartholomew county ;

Was read a second time, when,

On motion by Mr. Essex,

The rules was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 119. A bill authorizing the county auditor to audit and the county treasurer to pay the three per cent. fund to the counties entitled to receive the same ;

Was read a second time.

On motion by Mr. Prather,

The bill was referred to the committee on ways and means.

No. 120. A bill to amend an act to revise and consolidate the several acts of the General Assembly, relative to laying out, open-

ing, repairing, changing, and vacating highways, and the erecting and repair of bridges, and to amend the same ;

No. 122. A bill for the relief of William Northem ;

Were each read a second time, and ordered to be engrossed.

No. 123. A bill amending sections 48, 49, and 50, of chapter 29 of the Revised Statutes of 1843 ;

Was read a second time.

On motion by Mr. Spencer,

Was referred to the committee on the judiciary.

No. 124. A bill to appraise the personal property in the county of Warren, State of Indiana ;

Was read a second time.

Mr. Chandler moved to refer the bill to the judiciary committee.

Pending which, Mr. Carnahan of Posey moved to lay the bill on the table ;

Which motion did not prevail.

The question then recurring on the motion to commit the bill to the committee on the judiciary ;

Was decided in the affirmative.

Mr. Niblack offered the following instruction to the committee :

Amend by inserting in the proper place—

“All dogs shall be taken to be worth ten dollars ;”

Which was adopted.

Mr. Withers offered the following instruction to the committee :

Insert in the proper place—

“Except stallions and he cattle for seed ;”

Which was adopted.

Mr. Shepard moved to instruct the committee to amend by inserting “that said horses and cattle shall be lawful tender at the prices named ;”

Which motion did not prevail.

No. 125. A bill to extend the privileges of the State Library ;

Was read a second time, and

On motion by Mr. Whinery,

Referred to the committee on the State Library.

No. 127. A bill for the benefit of the Clark County Central Plank Road company ;

Was read a second time and ordered to be engrossed.

On motion by Mr. Athon,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 128. A bill to limit actions on official bonds ;

Was read a second time.

Mr. Lane moved to indefinitely postpone the bill ;

Which motion prevailed.

No. 129. A bill to increase the fees of jurors before probate courts ;

Was read a second time.

Mr. Cole moved to refer the bill to the committee on ways and means ;

Which motion did not prevail.

On motion by Mr. Mickle,

The bill was referred to the committee on the judiciary.

No. 131. A bill to authorize William McDowell of the county of Adams to erect a mill dam across the Wabash river in the said county of Adams ;

Was read a second time and ordered to be engrossed.

On motion by Mr. Mickle,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 132. A bill to repeal the 61st section of an act therein named ;

Was read a second time and ordered to be engrossed.

No. 133. A bill to incorporate the Spring Creek and Tippecanoe Bridge Company ;

Was read a second time, and

On motion by Mr. Chandler,

Referred to the committee on corporations.

No. 134. A bill to authorize the citizens of Adams county to vote for or against the relocation of the county seat of said county ;

Was read a second time and ordered to be engrossed.

No. 135. A bill regulating the pay of the probate judge of Vanderburg county ;

Was read a second time.

Mr. Murray offered the following amendmendment, viz :

Amend the bill by requiring the additional one dollar per day to be paid out of the county treasury of Vanderburg county.

The ayes and noes being called for by Messrs. Lane and Orr.

Those who voted in the affirmative are,

Messrs. Allen, Brown of Randolph, Butler, Carnahan of Posey, Chandler, Connor, Cotton, Cravens, Defrees, Ellis, Essex, Gentry, Goodwin, Graves, Hart, Harvey, Hicks, Hill, Hillis, Humphreys, Johnson, Keeney, Lane, Menaugh, Millikin, Morrison, Murray, O'Neal, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Russell, Shepard, Stewart, Stoops, Summers, Thom, Thomas, Tinbrook, Warriner, Wilson, Whinery, and Mr. Speaker—45.

Those who voted in the negative are,

Messrs. Alley, Athon, Beard, Bowen, Brown of Shelby, Burnett, Byers, Caldwell, Carnahan of Fountain, Cleaver, Conaway, Delavan,

Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Farnesly, Greathouse, Holcomb, Huey, Hunter, Knowlton, Landiss, Lank, Leviston, May, Mickle, Miller of M. and F., Miller of Owen, Niblack, Patterson, Richardson, Robson, Ross, Rush, Salter, Shelby, Spencer, Stone, Watkins, Weaver, Wells, Withers, and Yocum—45.

So the amendment was not adopted.

Mr. Chandler moved to amend by inserting "Warren county" and also reduce the time to eight days in Warren county.

Mr. Murray moved to commit the bill to the committee on the judiciary, with instructions to increase the pay of probate judges to three dollars per day.

Mr. Allen moved to postpone the consideration of the bill until the 1st day of February, 1850.

Mr. Graves moved to lay the bill, with the pending amendments and instructions, on the table;

Which motion prevailed.

No. 136. A joint resolution in relation to publishing an act therein named;

Was read a second time and ordered to be engrossed.

No. 137. A joint resolution in relation to the United States surrendering State Bonds;

Was read a second time and ordered to be engrossed.

No. 138. A joint resolution in relation to the White Water Canal;

Was read a second time, and,

On motion by Mr. Elder,

Was laid on the table.

No. 139. A joint resolution on the subject of the African slave trade;

Was read a second time, and,

On motion by Mr. Withers,

Referred to the committee on military affairs.

On motion by Mr. Elder,

The House adjourned.

THURSDAY MORNING, 9 O'CLOCK, DECEMBER 20, 1849.

The House met pursuant to adjournment.

Mr. Mickle moved to dispense with reading the journal ;

Which motion did not prevail.

The journal of the preceding day was read.

On motion by Mr. Harney,

The House took up the following message from the Senate :

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof :

No. 121. An act to amend an act entitled "an act incorporating the Crawfordsville and Wabash Rail Road Company," approved January 19th, 1846, and "an act amendatory thereto," approved February 15, 1848 ;

No. 130. An act for the relief of John M. Cook of Knox county ;
In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of bills of the Senate contained in the foregoing message.

No. 121. A bill to amend an act entitled "an act incorporating the Crawfordsville and Wabash Rail Road Company," approved January 19th, 1846," and "an act amendatory thereto," approved February 15, 1848 ;

Was read a first time and passed to a second reading.

On motion by Mr. Harney,

The rules were suspended, the bill read a second time, and Referred to the committee on corporations.

No. 130. A bill for the relief of John M. Cook of Knox county ;
Was read a first time, and passed to a second reading.

PETITIONS &C., PRESENTED.

By Mr. Rush,

The temperance memorial of citizens of Rush county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Knowlton,

The temperance Memorial of citizens of Ripley county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Carnahan of Fountain,

The temperance memorial of citizens of Fountain county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Weaver,

The temperance memorial of citizens of Carroll county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Butler,

The temperance memorial of citizens of Cambridge City ;

Which,

On motion,

Was referred to the select committee on the same subject.

The temperance memorial of citizens of Rossville, and vicinity,
in the county of Clinton ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Caldwell,

The temperance memorial of citizens of Jeffersonville ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Huey,

The temperance memorial of B. W. Hawkins, and others, of Jay
county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Greathouse,

The temperance memorial of T. A. Goodwin, W. Holden, and
others, of Vanderburgh county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Greathouse,

The temperance memorial of W. T. Martin, A. L. Robinson, and
others, of Vanderburgh county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Chandler,
The petition of Elisha Rodgers, and others, to prohibit the sale of spirituous liquors, without license, in Mound township, Warren county, Indiana ;

Which,

On motion,

Was referred to a select committee, consisting of
Messrs. Chandler, Patterson, and Ellis.

REPORTS FROM COMMITTEES.

Mr. Mickle, chairman of the committee of ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means to whom was referred so much of the Governor's message as relates to the Georgia lands, have instructed me to report the following resolution and respectfully ask its adoption :

Resolved, That the committee on ways and means have power to send for persons and papers to investigate the sale of the Georgia lands ;

Which was adopted.

Mr. Mickle, chairman of the committee on ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means, to whom was referred so much of the Governor's message as relates to a private Secretary to the Governor, have, according to order, had that subject under consideration, and directed me to report that in the opinion of your committee, legislation on that subject is inexpedient, and ask to be discharged from the further consideration of the subject.

Mr. Edwards moved to refer the resolution to the committee on the judiciary ;

Which motion did not prevail.

The report was concurred in.

Mr. Mickle, chairman of the committee on ways and means, made the following report :

MR. PRESIDENT :

The committee on ways and means, to whom was referred bill of the House No. 95, entitled "an act relative to delinquent taxes," have, according to order, had that subject under consideration, and

directed me to report, that in the opinion of your committee, legislation is inexpedient; they, therefore, recommend the indefinite postponement of the bill, and ask to be discharged from the further consideration of that subject.

Which report was concurred in.

Mr. Mickle, from the committee on ways and means, made the following report:

MR. SPEAKER:

The committee on ways and means, to whom was referred a joint resolution in relation to the reduction of mileage and per diem allowance of members of Congress, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

Mr. Dougherty of Boone moved to lay the report on the table; Which motion prevailed.

Mr. Russell, from the committee on ways and means, made the following report:

MR. SPEAKER:

The committee on ways and means, to whom was referred a resolution of the House, referring so much of the Governor's message as relates to a loan of money for the payment of interest on the State debt, have considered the same, and as legislative action has been had on the subject, ask to be discharged from further consideration of said resolution.

Which report was concurred in.

Mr. Hicks, chairman of the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee to whom was referred a resolution of the House in relation to the supposed practice of clerks of probate courts, recording sale-bills and inventories of decedents' estates in separate books, and instructing said committee to inquire into the expediency of changing, amending, or authorizing said practice, have had the same under consideration, and directed me to report the following bill and recommend its passage:

No. 212. A bill to provide for recording inventories and sale bills in decedents' estates;

Which was read a first time, and passed to a second reading.

Mr. Spencer, from the committee on the judiciary made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred that portion of the Governor's message in relation to special legislation, have had the same under consideration, and while they are ready to admit that there is much legislation of a local and special character, which might and ought to be of a general character, and many local acts are passed at one session of the legislature to be repealed by the succeeding, without any benefit to any person, but to the detriment too often to business which is of interest to the State at large, and while your committee are impressed with the necessity of dispensing with much of this kind of legislation, they are of opinion that owing to our peculiar organization, and the circumstances which surround us, it will be impracticable to entirely do away with it. It is an evil which must be tolerated, but should be limited as much as circumstances will admit of. Your committee have considered the subject, and ask to be discharged from the further attention of the same.

Which report was concurred in.

Mr. Spencer, from the committee on the judiciary made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of sundry citizens of Jefferson county, praying that a divorce be granted to Elizabeth Ann Crawford, have had the same under consideration, and a majority of your committee, after due examination, have come to the conclusion that to grant the prayer of said petitioners, would be in direct contravention of the constitution of this State. After having examined some of the standing authors, not only of the United States, but also of England, we find that the marriage contract is declared and treated as a civil contract. Such is the doctrine maintained by Chancellor Kent, Chief Justice Marshall, Justice Story, Sir William Blackstone, and, in fact, by the Supreme Courts of the respective States of this Union, wherever the subject has been considered. In the Revised Statutes of 1843, page 595, is found the following : " Marriage, so far as its validity in law is concerned, shall continue in this State a *civil contract*, to which the consent of the parties capable by law of entering into such *contract*, shall be essential." Your committee are, therefore, clearly of the opinion, that marriage, according to the laws in force in this State, is a civil contract merely, and that to grant a divorce by the legislature, would be clearly in violation of the following clause of the constitution of the State of Indiana, viz : " No *ex*

post facto law, nor any law impairing the validity of contracts, shall ever be made," &c. Your committee are of the opinion that no argument is necessary to establish the fact that an entire dissolution of a contract is impairing its validity.

¶ Your committee, believing it unnecessary to pursue this subject further, respectfully recommend the adoption of the following resolution :

Resolved, That in the opinion of this House, the granting of divorces by the legislature of the State of Indiana is a violation of the constitution of said State, as it impairs the validity of a contract.

Which resolution was adopted.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred a resolution of the House on the subject of so much of the Governor's Message as relates to the manner of doing business in the probate courts, have had the same under consideration, and directed me to report that in the opinion of said committee, the present probate system ought to be materially changed, and as the convention to be held during the ensuing year to alter and amend the State Constitution will probably revise the judiciary department of the State government, that it is inexpedient at this time to legislate on that subject.

Which report was concurred in.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred the petition of E. Bateman and others of Fountain and Tippecanoe counties, praying that the acts of certain commissioners therein mentioned, appointed to view, mark, and locate a state road in the counties of Fountain and Tippecanoe should be legalized, have had the same under consideration and have instructed me to report the following bill in accordance with the prayer of the petitioners.

No. 213. A bill to legalize the acts of commissioners appointed to locate a road in the counties of Fountain and Tippecanoe.

Which was read a first time, and passed to a second reading.

Mr. Thomas, from the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to whom was referred a resolution of the House inquiring what counties voted for, and what counties voted against the adoption of the act of January 17th, 1849, entitled "an act to increase and extend the benefits of common schools," have had the same under consideration, and beg leave to make the following report :

1st. Your committee has no very correct information on this subject, as the county auditors have not made any report to the Secretary of State on this subject; but from the best information that your committee can obtain from the members of this House, it is as follows, viz :

The counties that voted in favor of the adoption of the act are,

Clark, Wayne, Allen, Jefferson, Randolph, Shelby, Vigo, Clinton, Fountain, Posey, Warren, Franklin, Miami, Wabash, Dearborn, Perry, Elkhart, Grant, Bartholomew, Floyd, Vermillion, Kosciusko, Vanderburgh, Gibson, Jay, Noble, Ripley, Crawford, Union, Steuben, Dekalb, Adams, Wells, Laporte, Scott, Tippecanoe, Jennings, Warrick, Spencer, Knox, Ohio, Henry, Fayette, Lake, Porter, Carroll, Jackson, St. Joseph, Switzerland, Jasper, White, Benton, Pulaski, Whitley, and Huntington—55.

The counties that voted against the adoption of the act are,

Putnam, Hancock, Dubois, Washington, Morgan, Boone, Madison, Monroe, Brown, Daviess, Montgomery, Harrison, Johnson, Rush, Green, Marion, Parke, Owen, Cass, Howard, Martin, Sullivan, Delaware, Hendricks, Orange, Hamilton, Pike, Clay, and Lawrence—29.

The counties of Blackford, Clinton, Decatur, Fulton, Lagrange, Marshall and Tipton, not heard from—7.

Your committee would recommend the passage of a law declaring the act of January 17, 1849, entitled "an act to increase and extend the benefits of common schools, to be in full force in the counties that voted in favor of the same, and also to legalize the proceedings of the officers of elections that made their returns to the county clerk, instead of the county auditors, as is provided in said act.

Which report was concurred in.

Mr. Elder, chairman of the committee on benevolent and scientific institutions, made the following report :

MR. SPEAKER :

The committee on benevolent and scientific institutions, to whom was referred a resolution of the House, in relation to the "establishment and erection of an eye infirmary near the town of Harrisonville, in the county of Martin," have had the same under consideration, and have instructed me to report that they deem it inexpedient to legislate on the subject, and ask to be discharged from its further consideration.

Which report was concurred in.

Mr. Edwards, chairman of the joint committee on the State Library, made the following report :

MR. SPEAKER :

The joint standing committee on the State Library, to whom was referred bill of the House No. 125, entitled "an act to extend the privileges of the State Library," have instructed me report the following amendment, and when so amended, respectfully recommend its passage :

Strike out from the enacting clause, and insert the following :

"That the provisions of section eighty-two, of chapter six, and article seven of the Revised Statutes of 1843, are hereby extended to the members and officers of the convention, who shall hereafter be elected to revise, amend, or change the constitution of this State."

Which was concurred in.

The bill as amended was ordered to be engrossed.

Mr. Connor, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of John J. Lang and others, citizens of Perry county, on the subject of roads, have had the same under consideration, and instructed me report the following bill :

No. 214. A bill to repeal a certain act therein named ;

Was read a first time and passed to a second reading.

Mr. Cotton, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of the county of Whitley, on the subject of a road tax,

have had the same under consideration, and have directed me to report the following bill, and respectfully recommend its passage.

No. 215. A bill to compel non-residents to pay a tax equal to that paid by residents in the county of Whitley ;

Which was read a first time and ordered to a second reading.

On motion by Mr. Cotton,

The rules were suspended, the bill read a second time, and ordered to be engrossed.

Mr. Wilson from the select committee to which was referred the petition of sundry citizens, residents of letter C., part of lot No. 2, Clarke's grant, and the remonstrance of the Mayor and Common Council of the city of Jeffersonville, have had the same under consideration and have directed me to report :

MR. SPEAKER :

That they have examined the petition and remonstrance. The petition asks that the citizens resident of said lot, be attached to Port Fulton. The remonstrance alledges that by this act, great injustice would be done the city of Jeffersonville, if the prayer of the petitioners should be granted, and further alledges that a majority of the citizens of said district proposed to be detached from the corporation of the city of Jeffersonville, and attached to Port Fulton are opposed to the prayer of the petitioners.

In view of these facts, the committee have directed me to report, that legislation on this subject is inexpedient, and recommend that the petition and remonstrance be laid on the table.

Which report was concurred in.

Mr. Niblack, from a select committee, made the following report

MR. SPEAKER :

The select committee to whom was referred the petition of a considerable number of the citizens of the county of Martin, praying an act for the relief of America Butler of said county, have had the same under consideration, and have instructed me to report the accompanying bill, and recommend its passage :

No. 216. A bill for the relief of America Butler, of the county of Martin ;

Which was read a first time and passed to a second reading.

Mr. Ross, from a select committee made the following report :

MR. SPEAKER :

The committee to which was referred the petition of citizens of the county of Franklin, in relation to sections 8, 14, and 130, of an act entitled, "An act to revise and consolidate the several acts of

the General Assembly, relative to roads and highways," beg leave to report the following bill, in which the concurrence of the House is respectfully requested :

No. 217. A bill to explain sections 8, 14, and 130, of an act therein named :

Which was read a first time and passed to a second reading.

Mr. Burnet, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of citizens of the counties of Vigo and Clay, asking for the location of a State road on the line between the counties of Vigo and Clay, accompanied with the affidavit of a person competent to testify, taken before a justice of the peace of the county of Vigo, stating that said petition contained the requisite number of signers, possessing the proper qualification, and that the notice required by law, has been duly given, have instructed to me to report the following bill, and recommend its passage :

No. 218. A bill to locate a State road between the counties of Vigo and Clay ;

Which was read a first time and passed to a second reading.

Mr. Allen, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 205, entitled, "A bill to amend an act to incorporate the Terre Haute and Richmond Railroad Company," approved January 26, 1847, with a pending amendment, have directed me to report the same back with another amendment, and when said amendments are adopted, to recommend its passage :

Amend by adding at the end of section 3, the following :

"*Provided, however,* The provisions of this section shall not apply to the county of Putnam."

Amend by excepting the county of Hendricks, from the provisions of the third section.

Which amendments were concurred in.

Mr. Prather moved to amend the 5th section, by providing that none of said arms or extensions shall be made east of Indianapolis.

Which amendment was adopted.

The bill as amended was ordered to be engrossed.

Mr. Graves, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of the Board of Commissioners of the county of Kosciusko, have had the same under consideration, and have directed me to report to the House, the following bill, and respectfully recommend its passage :

No. 219. A bill concerning the duties of the County Treasurer of the county of Kosciusko ;

Which was read a first time and passed to a second reading.

Mr. Bird, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 99, entitled, "A bill fixing the salary of the Auditor and Treasurer of Allen county," have had the subject under consideration, and directed me to report the same back to the House, with an amendment, and when so amended, respectfully ask its passage :

Strike out all after the enacting clause, and insert the following :

That from and after the first day of August next, the auditor of the county of Allen, and his successors in office, shall receive the sum of six hundred dollars for his services as such auditor, for each and every year, which sum shall be in full compensation for all the services which he may perform as such officer.

Sec. 2. It shall be the duty of the auditor of said county, to continue to receive the fees and perquisites now provided for by law for the use of said county, which fees shall be audited by said auditor, upon his salary.

Sec. 3. That from and after the first day of August next, the treasurer of the county of Allen, and his successors in office, shall receive the sum of five hundred dollars for his services as such treasurer, for each and every year, which sum shall be in full compensation for all the services which he may perform as such officer.

Sec. 4. That the said treasurer shall receive the fees and perquisites now provided by law, for the use of said county, which fees and perquisites shall be by the said treasurer, audited upon his salary, as provided in the third section of this act.

Sec. 5. It shall be the duty of the auditor of said county, upon the first Mondays of March and September of each year, commencing on the first Monday of March 1851, to make to the Board of Commissioners, in such form as said board may direct, a return in writing, embracing all the fees and emoluments of said office, and all compensation for labor in any manner which said auditor has received, by virtue of his said office, for the half-year ending at that time, which said return shall, in all cases, be verified by the oath of said officer.

Sec. 6. It shall be the duty of said Board of Commissioners of the county of Allen, to make half yearly allowances to such auditor, of such sum as will make his half yearly salary equal to three hundred dollars, after taking into the account the amounts which may have been received by said auditor, as fees and perquisites which shall be paid out of the treasury of said county.

Sec. 7. It shall be the duty of the treasurer of said county, on the first Mondays of March in each year, commencing on the first Monday in March, 1851, to make to the same Board of Commissioners, in such form as the board may direct, a return in writing, embracing all the fees and emoluments of the said office, and all compensation for collecting the revenue or other tax, and from all other sources which he has received by virtue of his said office, which shall at all times, be verified by the oath of said officer.

Sec. 8. It shall be the duty of said Board of Commissioners, to make an annual allowance to said treasurer, to be paid out of the treasury of said county, of such sum as will make his annual salary, including all the fees and perquisites which may have received, equal to the sum of five hundred dollars, as provided in the third section of this act.

Sec. 9. This act to be in force from and after its passage, and shall be deemed a public act.

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled :

No. 5. An act establishing additional places of holding elections in certain counties therein named.

Whereupon,

The Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Wilson,

Resolved, That the select joint committee on the part of this House, constituted for the purpose of examining and counting the State bonds, as produced them by the Agent of State, be empowered to employ a clerk for the purpose of making their report.

On motion by Mr. Thom,

Resolved, That the committee on education be instructed to inquire into the expediency of having the school laws that may be in force

at the end of this session, collected and published in pamphlet form, as a matter of convenience to school districts, and report by bill or otherwise.

On motion by Mr. Ross,

Resolved, That the committee on education, be requested to inquire into the expediency of amending the school law, relative to congressional townships, where said townships lie in two counties, one of which has adopted said law, and the other has not.

Mr. Miller of Owen, offered the following resolution :

Resolved, That during the present session of the Legislature, no joint resolution on the subject of slavery shall be introduced into this House.

Mr. Withers moved the following amendment :

Amend as follows :

“Said resolution shall be laid on the table without debate ;

Which amendment was not adopted. *

The question then recurring,

On the adoption of the resolution offered by Mr. Miller of Owen :

The ayes and noes being demanded by Messrs. Graves and Stone :

Those who voted in the affirmative are,

Messrs. Alley, Barker, Bird, Brown of Shelby, Caldwell, Cleaver, Conaway, Cotton, Dougherty of Boone, Dougherty of Elkhart, Ellis, Essex, Farnesly, Gentry, Hart, Hicks, Holcomb, Humphreys, Hunter, Johnson, Landiss, Miller of Owen, Niblack, O’Haver, Reed, Richardson, Shepard, Spencer, Thomas, Watkins, Wells, Weir, Withers, and Yocum—34.

Those who voted in the negative are,

Messrs. Athon, Beard, Bowen, Brown of Randolph, Burnet, Butler, Carnahan of Fountain, Carnahan of Posey, Chandler, Cole, Connor, Cravens, Defrees, Delavan, Dodd, Edwards, Elder, Gessie, Goodwin, Graves, Greathouse, Harney, Harvey, Hill, Hillis, Huey, Keeney, Knowlton, Lane, Lank, Leviston, May, Menaugh, Mickel, Miller of Marshall and Fulton, Millikin, Morrison, Murray, O’Neal, Orr, Patterson, Prather, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Salter, Shelby, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Warriner, Weaver, Wilson, Whinery, and Mr. Speaker—60.

So said resolution was not adopted.

BILLS, &C., INTRODUCED.

Ny Mr. Gentry,

No. 220. A joint resolution in relation to the barbarous, cruel, and inhuman conduct of the Austrian Government ;

By Mr. Chandler,

No. 221. A joint resolution to colonize free negroes ;

Were each read a first time and passed to a second reading.

By Mr. O'Haver,

No. 222. A bill to amend an act entitled "an act to incorporate a company to construct a rail road from Evansville, on the Ohio river, to connect with the Ohio and Mississippi Rail Road at, or near Olney, in the State of Illinois, via Princeton, Gibson county, Indiana, and Mt. Carmel, Illinois," approved January 2, 1849.

Which was read a first time.

On motion by Mr. O'Haver,

The rules were suspended, and the bill read a second time.

Mr. Withers offered the following amendment :

Add at the proper place the following proviso ;

Provided, however, That if by the granting of the above charter of said road from Evansville to Terre Haute it shall appear, upon examination, that it is an infringement or violation of the contracts between the State and the Bondholders, then this charter shall be declared void, and of no effect.

Mr. Wilson moved to refer the bill and pending amendments to the committee on canals and internal improvements ;

Which motion prevailed.

By Mr. Allen,

No. 223. A bill to vacate an alley in Greencastle ;

Which was read a first time.

On motion by Mr. Allen,

The rules were suspended, and the bill ordered to be engrossed.

By Mr. Carnahan of Fountain,

No. 224. A bill providing for an appeal from the several boards of county commissioners in this State, in certain cases therein named ;

By Mr. Watkins,

No. 225. A bill defining the duties of the Treasurer of Dearborn county, and other officers in relation to the common school fund, in said county ;

By Mr. Johnson,

No. 226. A bill to amend an act entitled "an act to increase and extend the benefits of common schools," approved January 17th, 1849 ;

By Mr. Reed,

No. 227. A bill in relation to the Auditor of Warrick county ;

By Mr. Huey,

No. 228. A bill to provide for the sale of school lands in the counties of Blackford, Jay, Adams, and Wells ;

Which were severally read a first time, and passed to a second reading.

By Mr. Rush,

No. 229. A bill to incorporate the Indianapolis and Cincinnati Rail Road Company ;

Which was read a first time ;

On motion by Mr. Rush,

The rule was suspended and the bill read a second time, when

On motion by Mr. Rush,

The bill was referred to the committee on corporations.

By Mr. Shelby,

No. 230. A bill to incorporate the West Point Literary Agricultural College, in Tippecanoe county ;

Which was read a first time ;

On motion by Mr. Shelby,

The rule was suspended the bill read a second time, and

Referred to the committee on corporations.

By Mr. Salter,

No. 231. A bill to regulate the manner of doing business in the Jasper Probate Court ;

Which was read a first time ;

On motion by Mr. Salter,

The rules were suspended, the bill read a second time and ordered to be engrossed.

By Mr. Sherrod,

No. 232. A bill to change an act defining the mode of publishing the delinquent tax list ;

Which was read a first time.

On motion by Mr. Sherrod,

The rules were suspended, the bill read a second time, and referred to the committee on the judiciary.

By Mr. Warriner,

No. 233. A bill for locating a State road in Lake and Porter counties ;

Which was read a first time and passed to a second reading.

By Mr. Robinson of Laporte,

No. 234. A bill relative to the Union Plank Road in Laporte county ;

Which was read a first time.

On motion by Mr. Robinson of Laporte,

The rules were suspended, the bill read a second time, and ordered to be engrossed.

By Mr. O'Neal,

No. 235. A bill to amend section 25, in chapter 53, article 1st, of the Revised Statutes of 1843 ;

Which was read a first time.

On motion by Mr. O'Neal,
The rules were suspended, the bill read a second time and referred to the committee on the judiciary.

By Mr. Menaugh,
No. 236. A bill to amend the 22d section of the 47th chapter of the Revised Statutes of 1843 ;

By Mr. Chandler,
No. 237. A bill authorizing the filing of transcripts of judgments of justices of the peace, and issuing executions thereon ;
Which were each read a first time and passed to a second reading.
Mr. Murray moved to suspend the order of business :
Which motion did not prevail.

By Mr. Brown of Randolph,
No. 228. A bill to amend a certain act therein named ;
Which was read a first time.

On motion by Mr. Brown of Randolph,
The rules were suspended, the bill read a second time, and ordered to be engrossed.

By Mr. Chandler,
No. 239. A bill to amend the 224th section of the 20th chapter of the Revised Statutes of 1843 ;

By Mr. Murray,
No. 240. A bill declaring the meaning of sections 39, 40, 41, 42, 43, and 44, chapter 29, of the Revised Statutes of 1843 ;

By Mr. Salter,
No. 241. A bill to authorize suits against the trustees of the Wabash and Erie Canal in certain cases ;
Which were each read a first time and passed to a second reading.

On motion by Mr. Salter,
The House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

ORDERS OF THE DAY.

Mr. Defrees moved to suspend the order of business and take up House bill No. 144 ;

Which motion prevailed.

No. 144. A bill to amend an act entitled an act to incorporate the Buffalo and Mississippi Railroad Company, approved February 6, 1835, and the several acts amendatory thereto ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. May moved to reconsider the vote on the passage of House bill No. 144 ;

Which motion did not prevail.

No. 140. A joint resolution in relation to the cession by the State of Maryland to the District of Columbia ;

Was read a second time.

The question being on the engrossment of the joint resolution, Was decided in the negative.

No. 141. A joint resolution in reference to establishing Diplomatic Relations with the Republic of Liberia ;

Was read a second time.

The question being on the engrossment of the joint resolution, It was decided in the negative.

No. 143. A bill to incorporate the Independent Relief Fire Company No. 1 ;

Was read a second time, and,

On motion by Mr. Holcomb,

Referred to the committee on corporations.

No. 145. A bill in relation to advertising forfeited lands mortgaging to the Sinking Fund ;

Was read a second time.

Mr. Hunter moved to refer the bill to a select committee of five ;

Which motion prevailed.

The Speaker appointed Messrs. Cotton, Hunter, Russell, Dougherty of Boone, and Defrees said committee.

No. 147. A bill to amend an act entitled an act to grant to the citizens of the town of Aurora, in the county of Dearborn, a city charter, approved February 14, 1848 ;

Was read a second time, and,

On motion by Mr. Spencer,

Referred to the committee on corporations.

No. 148. A bill to extend the provisions of an act therein named to the counties of Huntington and Whitley ;

Was read a second time and ordered to be engrossed for a third reading.

On motion by Mr. Cotton,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 149. A bill to change the mode of paying judges, inspectors, and clerks of elections ;

Was read a second time, and

On motion by Mr. Goodwin,

The bill was referred to the committee on roads.

Mr. Murray moved to suspend the order of business, and take up a message of the Senate ;

Which motion prevailed.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions thereof:

No. 62. An act to amend an act entitled "an act to increase and extend the benefits of common schools," approved January 17, 1849;

No. 73. An act for the relief of Sibil R. Dekearman;

No. 74. A joint resolution relative to a settlement of the accounts subsisting between the State and the General Government relative to the three per cent. fund.

No. 83. An act to consolidate and publish in one act the several acts and parts of acts that now incorporate the Madison and Napoleon Turnpike company;

No. 141. An act to amend "an act incorporating the Michigan road," approved January the 15th, 1845;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of the Senate bills contained in the foregoing message:

No. 62. An act to amend an act entitled "an act to increase and extend the benefits of common schools," approved January 17th, 1849;

No. 73. An act for the relief of Sibel R. Dekerman;

No. 74. A joint resolution relative to a settlement of the accounts subsisting between this State and the General Government relative to the three per cent. fund.

No. 83. An act to consolidate and publish in an act the several acts and parts of acts that now incorporate the Madison and Napoleon turnpike company;

Which were severally read a first time and passed to a second reading.

No. 141. An act to amend an act incorporating the Michigan road, approved January 15, 1845;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof

HOUSE BILLS ON THEIR SECOND READING.

No. 150. A bill to exempt the Olive Branch Church in Jefferson county from the payment of State and county tax on five acres of ground;

Was read a second time and ordered to be engrossed.

No. 151. A bill regulating clerk's fees of the probate courts in the State of Indiana;

Was read a second time, and

On motion by Mr. Dougherty of Boone,

The bill was referred to the committee on the judiciary.

No. 152. A bill in relation to probate records ;

Was read a second time, and

On motion by Mr. Dougherty of Boone,

The bill was then referred to the committee on the judiciary.

On motion by Mr. Shepard,

The order of business was suspended, and Senate bill

No. 130. An act for the relief of John Cook of Knox county ;

Was taken up, and

On motion by Mr. Shepard,

The rules were suspended, the bill read a first, second, and third times, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 154. A bill to amend an act entitled "an act authorizing the construction of plank roads ;"

Was read a second time, and

On motion by Mr. Carnahan of Posey,

The bill was referred to the committee on the judiciary.

No. 155. A bill to amend an act providing for the election of grand and petit jurors ;

Was read a second time, and

On motion by Mr. Orr,

The bill was so amended as to except from its provisions, the county of Delaware.

Mr. Hicks moved to amend the bill so as to exempt from its provisions the county of Johnson.

Mr. Cole moved to refer the bill and pending amendments to the committee on the judiciary.

Which motion prevailed.

No. 156. A bill amending an act therein named ;

Was read a second time, and ordered to be engrossed.

On motion by Mr. O'Neal,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 157. A bill to amend section 100, of chapter 12, of the Revised Statutes of 1843 ;

Was read a second time, and,

On motion by Miller of M. and F.,

Referred to the committee on the judiciary.

No. 158. A bill to provide for the trial of criminal cases in Marion county ;

Was read a second time, and ordered to be engrossed.

On motion by Mr. Hunter,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 159. A bill to locate a state road in the counties of Miami and Wabash;

Was read a second time and ordered to be engrossed.

No. 160. A bill to amend an act entitled "an act to revise and consolidate the several acts of the General Assembly relative to laying out, opening, repairing, and vacating public highways, and to the erection and repair of bridges, and to amend the same," approved January 16, 1849;

Was read a second time, and,

On motion by Mr. Hill,

Was referred to the committee on roads.

No. 161. A bill to reduce the number of township trustees in the county of Grant;

Was read a second time and ordered to be engrossed.

On motion by Mr. Dodd,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 162. A bill providing for publishing notice of the time and place of sale of delinquent lands in the county of Steuben;

No. 163. A bill providing for the sale of the school section in congressional township 26 north, of range 3 west, lying in the counties of White and Carroll;

Were each read a second time and ordered to be engrossed.

No. 164. A joint resolution in relation to establishing a bureau of agriculture in the department at Washington;

Was read a second time and ordered to be engrossed.

No. 166. A bill regulating the mode of selecting and summoning petit jurors in the county of Martin;

Was read a second time and ordered to be engrossed.

No. 168. A bill to incorporate the Evangelical Lutheran St. John Church of Dearborn county;

Was read a second time and ordered to be engrossed.

No. 169. A joint resolution relative to donating the public lands to actual settlers;

Was read a second time, and ordered to be engrossed.

No. 170. A bill to establish a sinking fund to pay the State debt;

Was read a second time, and,

On motion by Mr. Chandler,

Was referred to the committee on the judiciary.

No. 171. A bill to provide for a uniform mode of doing township business in Clay county;

Was read a second time and ordered to be engrossed.

On motion by Mr. Yocum,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 172. A bill to amend the city charter of the city of Madison, approved the 14th day of February, 1848;

Was read a second time and ordered to be engrossed.

No. 173. A bill to amend the 9th section of the act to increase and extend the benefits of common schools ;

Was read a second time.

Mr. Stewart moved to amend the bill by striking out "trustees," and inserting "clerks."

Which motion did not prevail.

The bill was ordered to be engrossed.

No. 174. An act to authorize the commissioners of Carroll County to employ a physician for the poor ;

Was read a second time and ordered to be engrossed.

No. 175. A bill to incorporate the Pittsburgh Library and Temperance Institute, in the county of Carroll ;

Was read a second time.

Mr. Mickle moved to refer the bill to the select committee on temperance memorials.

Which motion did not prevail.

Mr. Wilson moved to indefinitely postpone the bill.

Which motion prevailed.

No. 176. A bill to divorce Catharine Reece, of the county of Knox, in this State, from her husband, — Reece, and to change the name of the said Catharine Reece ;

Was read a second time.

Mr. Lane moved to indefinitely postpone the bill.

Which motion did not prevail.

Mr. Chandler moved to refer the bill to the committee on the judiciary.

Which motion did not prevail.

Mr. Elder moved to lay the bill on the table.

Which motion did not prevail.

The question then being on the engrossment of the bill,

The ayes and noes being demanded by Messrs. Lane and Carnahan of Posey :

Those who voted in the affirmative are,

Messrs. Barker, Cole, Edwards, Goodwin, Greathouse, Harney, Hillis, Mickle, Niblack, O'Haver, O'Neal, Reed, Shepard, Sherrod, Stone, Weir, Wilson, and Whinery—18.

Those who voted in the negative are,

Messrs. Allen, Alley, Athon, Beard, Bowen, Brown of R., Brown, of S., Burnet, Butler, Byers, Caldwell, Carnahan of F., Carnahan of P., Chandler, Cleaver, Conaway, Conner, Cotton, Cravens, Defrees, Delavan, Dodd, Dougherty of B., Dougherty of E., Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Graves, Hart, Harvey, Hicks, Hill, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Landiss, Lane, Lank, Leviston, May, Menaugh, Miller of M. and F.,

Miller of O., Millikin, Morrison, Murray, Orr, Patterson, Prather, Richardson, Robinson of L., Robson, Ross, Rush, Russell, Salter, Shelby, Spencer, Stewart, Stoops, Sammers, Thom, Thomas, Tinbrook, Warriner, Watkins, Weaver, Wells, Withers, Yocum, and Mr. Speaker—80.

So the bill was not ordered to be engrossed.

No. 177. An act authorizing the voters of Washington county, to vote at any precinct in said county,

Was read a second time.

Mr. Hicks moved to amend the bill by inserting the county of Johnson ;

Which motion did not prevail.

Mr. Weir moved to amend the bill by inserting in the proper place, the county of Sullivan ;

Which motion did not prevail.

On motion by Mr. Carnahan of P.,

The bill was laid on the table.

No. 179. A bill to amend an act, entitled an act to revise and consolidate the several acts relative to public highways, approved January 16, 1849 ;

Was read a second time.

On motion by Mr. Hill,

The bill was then referred to the committee on roads.

On motion by Mr. Wilson,

The House adjourned.

FRIDAY MORNING, 9 O'CLOCK, DECEMBER 21, 1849.

House met pursuant to adjournment.

Part of the journal being read,

Mr. Greathouse moved to dispense with a further reading of the same.

Which motion did not prevail.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, without amendment :

No. 19. An act prescribing the time of holding the circuit courts in the second judicial circuit.

No. 29. An act to extend the time of holding the probate court of Hendricks county.

No. 35. An act repealing an act relating to the jurisdiction of justices of the peace, so far as relates to Montgomery county.

No. 36. An act to authorize the draining of the Peru prairie, in Miami county.

No. 40. An act to repeal all laws of this State, authorizing counties to subscribe for any corporation stock, so far as relates to the county of Morgan, and declaring the meaning of certain acts therein named.

No. 41. An act to change the time of holding the October term of the probate court of Martin county.

No. 53. An act to change the name of Eliza Jane Bristo to Eliza Jane Swisher, and that of Nancy Brown to Nancy O'Neal.

No. 54. An act to amend an act, entitled an act requiring the supervisors of roads in Sullivan county, to make report at the March term in each year, and for other purposes, approved January 26, 1847.

No. 56. An act to change the names of Mary Jane Manning, and Margaret Ann Manning, of Vanderburgh county.

No. 27. An act to amend an act, entitled an act to regulate the mode of doing county business, in the county of Putnam, approved January 15, 1849.

No. 63. An act in relation to Lamasco city.

No. 65. A joint resolution authorizing the reports from the State Bank and Commissioners of the Sinking Fund, to be made on the second week of the session.

No. 68. A joint resolution in reference to the reduction of the price of lands in the Miami National Reservation.

No. 75. An act to amend an act, entitled an act to authorize supervisors to work a certain road in Ohio county.

No. 130. An act to revive and amend an act, entitled an act to authorize the election of a school commissioner in township nine, range one west, in Franklin county.

The Speaker laid before the House, the following communication from the Auditor of State :

AUDITOR OF STATE'S OFFICE,
December 21, 1849. }

HON. GEORGE W. CARR,

Speaker of the House of Representatives :

SIR :—The following statements are submitted in answer to a resolution of the House of Representatives, adopted on the 18th instant, calling for information in relation to the water rents on the Northern division of the Central Canal, the amount paid for repairs

and salaries of agents, and the amount due and unpaid by each lessee of water power.

The amount paid in cash for water rents up to November 1st, 1849, is \$6,817 00. Some two or three hundred dollars have been paid since, but the accounts are not posted since the end of the fiscal year. Considerable additional credits are given, but they are for loss of time, and for work done on the canal.

The whole amount paid for repairs, as appears by the books of this office, is \$34,558 32. Of this amount something like \$27,000 were paid for repairs rendered necessary by the great flood in January, 1847.

The whole amount paid for salaries of Superintendents, from October 31st, 1843, to November 1st, 1849, as appears by the books, is \$2,727 90.

The amount of rents due from William Sheets & Co.

for the use of water power, from commencement of their leases to November 1st, 1849, is	-	-	-	\$8,175 00
The amount paid by them during the same period, is				3,858 61

\$4,316 93

In the above payments are included \$831 50 for deductions on account of loss of time, and for power not used. They are entitled to further deductions for loss of time on account of the canal being broken, but as no settlement has been made with the agent, the amount to which they are entitled is unknown at this office.

The amount due from John Carlisle from commencement of lease to November 1st, 1849, is

	-	-	-	\$5,220 83
He is credited on the books,	-	-	-	3,162 96

\$2,057 87

In this credit is included \$212 50 for deductions made in 1842. He is entitled to further deductions on account of loss of time, &c., but no settlement having been made, the amount is unknown.

The amount due from Scudder & Hannaman up to

November 1st, 1849, is	-	-	-	\$2,175 00
The amount paid to same time, is	-	-	-	698 13

Balance due November 1st, 1849, - - - \$1,476 87

In their payments are included \$140 62 for deductions in 1843. They are also entitled to additional deductions, which have not been adjusted by the agent.

The amount due from S. & J. Ogden to May 1, 1849,	
is - - - - -	\$5,663 00
The amount paid by them is - - - - -	3,489 46
	<hr/>
Balance due Nov. 1, 1849, - - - - -	\$2,173 44

In the above credit are included deductions to the amount of \$1-512 50. They are entitled to other deductions which will be entered to their credit when settlement shall be made.

The amount due from Nathaniel West from the commencement of his lease to May 1, 1849, is - - -	\$1,850 00
The amount paid by him is - - - - -	720 00
	<hr/>
Balance due Nov. 1, 1849, - - - - -	\$1,129 10

Of Mr. West's payment \$237 81 were for deductions allowed on former settlements. He also has an unliquidated claim for further deductions.

The amount due from Burk & Morris (now Burk & Koontz) from the commencement of their lease to Nov. 1, 1849, is - - - - -	\$4,227 08
The amount paid by them is - - - - -	4,146 69
	<hr/>
Balance due Nov. 1, 1849, - - - - -	80 39

The amount allowed them for deductions at various times, and which is embraced in the above payments, is \$1,588 87. Their settlements have been regularly made, and the balance against them, as will be seen, is quite small.

The amount due from Robert Underhill from the commencement of his lease to Nov. 1, 1849, is - - -	\$2,460 00
His credits amount to - - - - -	340 00
	<hr/>
Balance due Nov. 1, 1849, - - - - -	\$2,120 00

Mr. Underhill is entitled to considerable credits on account of not being supplied with water, &c., but his account, like most of the others, has not been adjusted.

The amount due from Cornelius Ferree for rents at the Feeder Dam (near the Bluffs of White river) is as follows, viz :

Amount due to May 1, 1845, according to settlement by commissioners, under an act approved Jan. 13, 1845, - - - - -	\$2,112 50
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Amount from May 1, 1845, to Nov. 1, 1849,	-	-	2,430 00
Total,	-	-	\$4,542 50
The amount allowed him for work done on the Canal, and for stoppage, up to May 1, 1845, is			
	-	-	\$2,350 55
Amount paid in cash in 1847,	-	-	151 50
Amount allowed by agent for work done on Canal from former settlement to July 31, 1849, -			
	-	-	929 51
Total, -	-	-	3,431 56
Amount due Nov. 1, 1849, -	-	-	\$1,110 94

There is another lease at the Feeder Dam for a grist mill and saw mill, the latter of which only is understood to have been put in operation. Commissioners were appointed some years ago to settle with the lessee, but no report has been made to this office, and it is not in my power to state the amount of his indebtedness.

By an act of the General Assembly, approved Jan. 13, 1846, the whole control of this Canal was taken from the Auditor, Treasurer, and Secretary of State, and confided to an Agent elected by the Legislature, and its entire management is now vested in him. The Auditor's duties, under the law, are simply to issue requisitions on the Treasurer for money, settle with the Agent and keep the accounts.

I am, very respectfully,
Your obedient servant,
D. MAGUIRE,
Auditor of State.

On motion by Mr. Carnahan of Fountain,
The communication was laid on the table, and 200 copies ordered to be printed.

On motion by Mr. Niblack,
The order of business was suspended.
Mr. Niblack offered the following resolution :

Resolved, That the members and officers of this House do accept the generous offer of the President of the Madison and Indianapolis Rail Road Company, tendering to them, on behalf of said Company, the use of the cars upon said road, on Tuesday and Wednesday next.

Mr. Edwards moved to amend the resolution by adding, "that the members of the House shall not charge their per diem allowance during the time of adjournment."

Which motion did not prevail.

Mr. Campbell moved to amend by striking out "Tuesday and Wednesday" and insert "Monday and Tuesday."

Which motion did not prevail.

The question then being on the adoption of the resolution,

Was decided in the negative.

On motion by Mr. Graves,

The order of business was suspended.

Mr. Graves introduced,

No. 242. A joint resolution to adjourn from Saturday evening, to Thursday morning ;

Which was read a first time, and passed to a second reading.

Mr. Graves moved to suspend the rule and read the bill a second time.

Which motion did not prevail.

On motion by Mr. Dodd,

The order of business was suspended.

Mr. Dodd offered the following resolution :

Resolved, That when this House adjourns to-morrow, it adjourns to meet on Thursday morning next, at 9 o'clock, and that the Senate be requested to concur in this resolution.

The ayes and noes being demanded by Messrs. Cleaver and Alley,

Those who voted in the affirmative are,

Messrs. Athon, Bird, Conaway, Dodd, Dougherty of Elkhart, Hill, Hillis, Murray, Robson, Stone, Watkins, Weir, and Wilson—13.

Those who voted in the negative are,

Messrs. Allen, Alley, Barker, Beard, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Carnahan of Fountain, Carnahan of Posey, Cleaver, Cole, Connor, Cotton, Defrees, Delavan, Dougherty of Boone, Edwards, Elder, Ellis, Essex, Farnesley, Gentry, Goodwin, Graves, Greathouse, Harney, Hart, Harvey, Hicks, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Lane, Leviston, May, Menaugh, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikin, Morrison, Niblack, O'Haver, O'Neal, Orr, Patterson, Prather, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Salter, Shelby, Shepard, Sherrod, Spencer, Stewart, Stoops, Summers, Thom, Thomas, Tinbrook, Weaver, Wells, Withers, Whinery, Yocum, and Mr. Speaker—77.

So the resolution was not adopted.

PETITIONS &C., PRESENTED.

By Mr. Brown of Randolph,
The temperance memorial of citizens of Randolph county ;
Which,

On motion,
Was referred to the select committee on the same subject.

By Mr. Defrees,
The temperance memorial of citizens of Elkhart county ;
Which,

On motion,
Was referred to the select committee on the same subject.

By Mr. Ellis,
The temperance memorial of citizens of Madison county ;
Which,

On motion,
Was referred to the select committee on the same subject.

By Mr. Cotton,
The petition of sundry citizens of Huntington county, praying for
the privilege of building a mill dam acrosss the Salamonias River ;
Which,

On motion,
Was referred to a select committee, consisting of
Messrs. Cotton, Bird, and Huey.

By Mr. Yocum,
The petition of citizens of Clay county, praying for the enact-
ment of a law authorizing the voters of each road district to elect
supervisors for their respective districts ;

Which,

On motion,
Was referred to the committee on claims.

By Mr. Thomas,
The petition of Riley Noble of Posey county ;
Which,

On motion,
Was referred to a select committee, consisting of
Messrs. Thomas, Carnahan of Posey, and Greathouse.

By Mr. Stewart,
The petition of citizens of Henry county, on the subject of Tem-
perance ;

Which,

On motion,
Was referred to the select committee on the same subject.

By Mr. Cole,
The temperance memorial of citizens of Miami county ;
Which,

On motion,
Was referred to the select committee on the same subject.
By Mr. Huey,

The temperance memorial of sundry citizens of Adams and Jay counties ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Connor,

The petition of R. G. Cotton, H. G. Barkwell and others, of Perry county, relative to the change of a certain road ;

Which,

On motion,

Was referred to a select committee consisting of

Messrs. Connor, Richardson, and Wilson.

By Mr. May,

The temperance memorial of citizens of DeKalb county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Cole,

The petition of Gabriel Swihart and others, for a State road in the counties of Wabash and Kosciusko ;

Which,

On motion,

Was referred to the committee on roads.

By Mr. Graves,

The remonstrance of citizens of Kosciusko and Wabash counties, against a State road ;

Which,

On motion,

Was referred to the committee on roads.

By Mr. Athon,

The petition of James Matthews, of New Washington, Clark county, relative to his success in curing lunatics.

Mr. Athon moved to refer the petition to the committee on benevolent and scientific institutions.

Which motion did not prevail.

Mr. Athon moved to refer the petition to a select committee composed of members representing the counties named in said petition.

Which motion prevailed.

Messrs. Athon, Caldwell, Farnsley, Hillis, Thom, Bowen, Morrison, Wells, Prather, Robinson of Decatur, Hart, Essex, Hicks, Hunter, and Robson, constitute said committee.

By Mr. Miller of M. and F.,

The temperance memorial of citizens of Marshall county ;

Which,

On motion,

Was referred to the select committee on the same subject.

On motion by Mr. Miller of M. and F.,

The House took from the table the report of the committee on claims, against the petition of William Moore, Adam Pence, and others, of the county of Fulton.

The question on concurring in said report, was decided in the negative.

On motion by Miller of M. and F.,

The petition was referred to the committee on the judiciary.

By Mr. Stone,

The memorial of the White Water Valley Canal Company ;

Which,

On motion,

Was referred to the committee of ways and means.

By Mr. Bird,

The petition of John E. Hill, for the vacation of the town of Augusta, in Noble county ;

Which,

On motion,

Was referred to the committee on the judiciary.

REPORTS FROM COMMITTEES.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of the Marshall circuit court, relative to the irregularities in the manner of selecting grand jurors, by which the administration of justice is prevented, have directed me to report to the House the following bill, and to recommend its passage.

No. 243. A bill in relation to grand jurors ;

Which was read a first time, and passed to a second reading.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred bill to increase the fees of jurors before probate courts, have had the same under consideration and have instructed me to report the same back without amendment, and respectfully ask its passage.

No. 129. A bill to increase the fees of jurors before Probate Courts ;

Which was read a second time ordered to be engrossed.

Mr. Caldwell, from the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to whom was referred a resolution of the House, instructing said committee to inquire into the necessity of establishing a board of examination in the several counties of this State, for the purpose of ascertaining the qualifications of teachers of common schools, have had the same under consideration, and have directed me to report that in the opinion of said committee, it is highly necessary that competent teachers should be employed to instruct the children and youth of our State ; but they are of opinion that that object can be more effectually accomplished by the people of the school districts themselves, by the selection of a competent district trustee, whose duty it is to employ the teacher ; they therefore deem legislation upon the subject unnecessary.

Which report was concurred in.

Mr. Hill, from the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred House bill No. 179, have, according to order, had the same under consideration, and directed me to make the following report : Amend section 7th as follows : *Provided*, That none of the provisions of this act shall be held to extend to any of the counties which are exempted from the provisions of the act to which this is an amendment, and when so amended, respectfully ask its passage.

Which amendment was concurred in, and the bill as amended ordered to be engrossed.

Mr. Hart, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred a resolution of the House, directing said committee to inquire into the expediency of reporting a joint resolution making it the duty of the Secretary of State to compile all the road laws that may be in force at the expiration of the present General Assembly, and cause a suitable number of copies to be printed for the use of supervisors of highways, have had the same under consideration, and have directed me to report the following joint resolution and respectfully recommend its adoption :

No. 244. A joint resolution relative to compiling and publishing road laws ;

Which was read a first time and passed to a second reading.

Mr. Alley, from the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred that part of the Governor's Message which relates to the three per cent. fund, have had the same under consideration and have directed me to report that as there is a bill already pending before the House on this subject, they deem further action on the same unnecessary, and therefore ask to be discharged from its further consideration.

Which report was concurred in.

Mr. Wilson, chairman of the committee on canals and internal improvements, to which was referred bill No. 222 of the House, entitled "a bill to amend an act entitled an act to incorporate a company to construct a Railroad from Evansville, on the Ohio river, to connect with the Ohio and Mississippi Railroad at or near Olney, in the State of Illinois, via Princeton, Gibson county, Indiana, and Mount Carmel, Illinois," approved January 2d, 1849, made the following report :

MR. SPEAKER :

The committee to which was referred the above recited bill, have had the same under consideration, and have directed me to report it back to the house, and recommend its passage.

The committee have also directed me to report back one pending amendment, and a resolution of inquiry upon the same subject, as inexpedient to legislate on.

The question being on the engrossment of the bill,

The ayes and noes being demanded by Messrs. Withers and Goodwin,

Those who voted in the affirmative are,

Messrs. Alley, Athon, Beard, Bird, Bowen, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Carnahan of Fountain, Cole, Cotton, Defrees, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Ellis, Farnesly, Gessie, Graves, Greathouse, Harney, Hart, Hicks, Hill, Hillis, Holcomb, Huey, Hunter, Keeney, Knowlton, Lane, Lank, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikin, Morrison, Murray, O'Haver, O'Neal, Prather, Robinson of Decatur, Robinson of Laporte, Robson, Rush, Russell, Salter, Shelby, Shepard, Spencer, Stewart, Stone, Summers, Thom, Warriner, Weaver, Wells, Wier, Wilson, Whinery, and Mr. Speaker

Those who voted in the negative are,

Messrs. Allen, Barker, Carnahan of Posey, Cleaver, Conaway, Connor, Cravens, Gentry, Goodwin, Harvey, Humphreys, Johnson, Landiss, Leviston, May, Niblack, Orr, Patterson, Reed, Richardson, Ross, Stoops, Thomas, Tinbrook, Watkins, Withers, and Yocum—27.

So the bill was ordered to be engrossed.

On motion by Mr. O'Haver,

The rules were suspended and the bill read a third time.

Mr. Goodwin moved to recommit the bill to a committee of one from each Congressional District, with instructions to amend the same by striking out "Vincennes" wherever it occurs, and inserting "Washington."

Mr. Weir moved to lay the motion and instructions on the table ; Which motion prevailed.

Mr. Goodwin moved to indefinitely postpone the bill.

The ayes and noes being demanded by Messrs. Carnahan of Posey and Goodwin,

Those who voted in the affirmative were,

Messrs. Allen, Barker, Carnahan of Posey, Cleaver, Conaway, Connor, Cravens, Goodwin, Harvey, Humphreys, Landiss, Menaugh, Niblack, Reed, Richardson, Ross, Salter, Stoops, Thomas, Tinbrook, Watkins, and Withers—21.

Those who voted in the negative were,

Messrs. Alley, Athon, Beard, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnett, Butler, Byers, Caldwell, Campbell, Carnahan of Fountain, Cole, Cotton, Defrees, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Graves, Greathouse, Harney, Hart, Hicks, Hill, Hillis, Huey, Hunter, Johnson, Keeney, Knowlton, Lane, Lank, Leviston, Mickle, Miller of M. and F., Miller of Owen, Millikin, Morrison, Murray, O'Haver, O'Neal, Orr, Patterson, Prather, Robinson of Decatur, Robinson of Laporte, Robson, Rush, Russell, Shelby, Shepard, Spencer, Stewart, Stone, Summers, Thom, Warriner, Weaver, Wells, Weir, Wilson, Whinery, Yocum, and Mr. Speaker—73.

So the bill was not indefinitely postponed.

Mr. Brown of Randolph moved that the House adjourn ;

Which motion did not prevail.

On motion by Mr. Wilson,

The House adjourned to meet at 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

When the House adjourned the following named bill was under consideration.

No. 222. A bill to amend an act entitled "an act to incorporate a company to construct a Railroad from Evansville, on the Ohio river, to connect with the Ohio and Mississippi Railroad at or near Olney, in the State of Illinois, via Princeton, Gibson county, Indiana, and Mount Carmel, Illinois," approved Jan. 2, 1849.

The question being on the passage of the bill—

The ayes and noes being demanded by Messrs. Withers and Barker,

Those who voted in the affirmative are,

Messrs. Alley, Athon, Bird, Bowen, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Campbell, Cole, Cotton, Defrees, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Gentry, Gessie, Graves, Greathouse, Harvey, Hart, Hicks, Hill, Hillis, Huey, Hunter, Keeney, Knowlton, Lane, Lank, Leviston, May, Mickle, Miller of M. and F., Miller of Owen, Millikin, Morrison, O'Haver, O'Neal, Patterson, Prather, Robinson of Laporte, Robson, Rush, Russell, Shelby, Shepard, Spencer, Stewart, Stone, Summers, Thom, Warriner, Weaver, Wells, Weir, Wilson, Whinery, and Mr. Speaker—65.

Those who voted in the negative are,

Messrs. Allen, Barker, Carnahan of Posey, Cleaver, Conaway, Connor, Cravens, Farnesly, Goodwin, Humphreys, Johnson, Landiss, Menaugh, Niblack, Orr, Reed, Richardson, Ross, Stoops, Thomas, Tinbrook, Watkins, Withers, and Yocum—24.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Dougherty of Boone,

The order of business was suspended.

Mr. Dougherty of Boone offered the following preamble and resolution :

WHEREAS, Mr. John Brough, President of the Madison and Indianapolis Rail Road Company, has generously and courteously tendered to the officers and members of the Legislature, an invitation to a seat in an extra train of cars for the city of Madison, on Tuesday next, therefore,

Resolved, That this House accept such invitation, and that when the House adjourns on Monday evening next, it will adjourn until Thursday morning, nine o'clock.

Mr. Richardson moved to amend the resolution by inserting "that members shall not be allowed their per diem during the said adjournment ;"

Which motion did not prevail.

The question being,

On the adoption of the resolution,

Was decided in the affirmative.

On motion by Mr. Prather,

Leave of absence was granted to Mr. Thom.

On motion by Mr. Cravens,

Leave of absence was granted to Mr. Allen.

On motion by Mr. Edwards,

Leave of absence was granted to Mr. Wright.

On motion by Mr. Cravens,

The order of business was suspended.

On motion by Mr. Cravens,

Resolved, That the Reporters for the Sentinel and Journal be allowed to occupy seats in the centre of the Hall, immediately fronting the Clerks desk, to enable them to report accurately the proceedings of this House.

Mr. Farnesly, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred House bill No. 210, have had the same under consideration, and have instructed me to report the following amendments, which, when adopted, recommend its passage.

No. 210. A bill to incorporate the Terre Haute Insurance Company.

Amend by striking out the word "perpetual," in the 12th line of section first, and insert the words "fifty years" in lieu thereof ;

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

On motion by Mr. Cleaver,

Leave of absence was granted to Mr. Conoway, until Thursday morning.

On motion by Mr. Burnet,

Leave of absence was granted to Mr. Essex, until Thursday morning.

Mr. Withers, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the Senate No. 121, an act entitled "an act incorporating the Crawfordsville and Wabash Rail Road Company," approved January 19, 1846, and "an act amendatory thereto," approved February 15, 1848, have had the same under consideration, and have instructed me to report the same back, without amendment, and recommend its passage.

Which bill was read a second time and ordered to be engrossed.

On motion by Mr. Harney,

The rules were suspended, and the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to which was referred bill of the House No. 143, entitled, "an act to incorporate the Independent Relief Fire Company," have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and respectfully recommend its passage.

Which bill was ordered to be engrossed.

On motion by Mr. Hunter,

The rules were suspended, and the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Whinery, from a select committee, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill No. 230, to incorporate the West Point Literary and Agricultural College in Tippecanoe county, have had the same under consideration and instructed me to report the same back without amendment, and recommend its passage.

Which bill was ordered to be engrossed.

On motion by Mr. Shelby,

The rules were suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Brown of Randolph, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House No. 114, to incorporate the Jasper County Plank Road Company, have had the same under consideration, and have directed me to report the same back to the House, with the following amendment, and when the same is adopted, to recommend its passage :

Amend section 29 by striking out the words "whenever any of its privileges shall be violated," and insert, in lieu thereof, the following, "whenever they shall deem the same necessary."

Which amendments were concurred in, and the bill, as amended, ordered to be engrossed.

Mr. Murray, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred House bill No. 133, entitled a bill to incorporate the Spring Creek and Tippecanoe Bridge Company, have, according to order, had the same under consideration, and have directed me to report the same back, without amendment, and recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill of the House No. 147, entitled "a bill to amend an act entitled an act to grant to the citizens of the town of Aurora, in the county of Dearborn, a city charter," approved February 14th, 1848, have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and respectfully recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

On motion by Mr. Allen,

The order of business was suspended, and Senate bill No. 29. An act to amend an act to incorporate the Central Plank Road Company,
 Was taken up.
 The bill was then read a second time.
 Mr. Allen offered the following amendment :

Sec. —. That the Directors of said Company may at such times as they may determine upon, declare dividends upon the amounts actually expended, but that such dividends shall not be paid to the stockholders until the road is fully completed, but such dividends, when so computed and declared, shall be reinvested by the officers of said Company in stock in the name of the person entitled to such dividends, and the same, together with all stock subscribed and paid in, and all other means accruing to said Company, shall be laid out and expended, as fast as the same are received, in the construction of said work.

Mr. Russell moved to refer the bill and pending amendment to a select committee composed of the members from the counties through which the road passes ;

Which motion prevailed.

The Speaker then appointed Messrs. Russell, Alley, Hunter, Robson, Delavan, Allen, and Lane said committee.

On motion by Mr. Shelby,

The order of business was suspended, and the following message from the Senate taken up :

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, with one amendment :

No. 73. An act to amend an act entitled an act to incorporate the Lafayette Insurance Company, approved February 8th, 1836 ;

In which amendment the concurrence of the House is respectfully requested.

Senate bill No. 73, contained in the foregoing message,

Was taken up and read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Edwards,

Leave of absence was granted Messrs. Yocum and Dodd till Thursday next.

On motion by Mr. Murray,

The order of business was suspended.

Mr. Murray then offered the following resolutions :

Resolved, That this House will, the Senate concurring therein,

when they adjourn this evening, adjourn until Thursday next, at 9 o'clock, A. M.

Resolved, That the Senate be informed hereof.

Mr. Lane moved to amend by adding "that the members receive no pay during the adjournment."

Which motion did not prevail.

On motion by Mr. Wilson,

The resolution was laid on the table.

On motion by Mr. Ross,

Leave of absence was granted Mr. Hart till Thursday next.

On motion by Mr. Brown of Randolph,

Leave of absence was granted Mr. Beard till Thursday next.

Mr. Lane, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to which was referred bill of the Senate No. 26, entitled "an act to locate a state road in the counties of Fountain, Montgomery, and Putnam," have had the same under consideration, and have directed me to report the same back to the House with the following amendments, upon the adoption of which they recommend its passage :

Sec. 1. By striking out the words "to the town of Greencastle in the said county of Putnam," and insert the words "to intersect the Greencastle and Crawfordsville road at or near the Raccoon bridge on said road."

Sec. 3. By adding to the end of said section the following: "each county defraying the expenses of locating said road, in proportion to the distance said road runs through said counties."

Which amendments were severally concurred in by the House.

The act as amended was ordered to be engrossed.

Mr. Hicks, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of the town of Franklin, asking for the passage of a law amending the act incorporating said town, have had said petition under consideration, and directed me to report the same back to the House with the accompanying bill, and recommend its passage.

No. 245. A bill to amend an act entitled "an act to incorporate the town of Franklin, Johnson county, Indiana," passed February 15th, 1838 ;

Which was read a first time and passed to a second reading.

On motion by Mr. Wilson,

The House adjourned.

SATURDAY MORNING, 9 O'CLOCK, DECEMBER 22d, 1849.

The House met.

The journal of the preceding day was read.

On motion by Mr. Carr,
The order of business was suspended.

Mr. Carr introduced

No. 246. A bill to amend an act entitled "an act to incorporate the Bedford Insurance Company," approved February 8th, 1836;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Niblack, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of the county of Martin, in relation to the office of county auditor of said county, have had the same under consideration, and are of opinion that a majority of the voters of said county have asked for and are in favor of the passage of an act as prayed for in said petition, and have instructed me to report the accompanying bill and to respectfully recommend its passage at as early a period as the business of this House will permit.

No. 247. A bill to legalize the acts of the several clerks of the Martin circuit, heretofore done in relation to the duties of the office of county auditor of the county of Martin, and for other purposes therein named.

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Gentry moved to suspend the order of business, for the purpose of taking up Senate bill No. 77.

Which motion did not prevail.

On motion by Mr. Stone,
The order of business was suspended.

Mr. Stone introduced

No. 248. A bill in relation to the White Water Valley Canal Company;

Which was read a first time and passed to a second reading.

On motion by Mr. Stone,

The rules were suspended, the bill read a second time, and referred to the committee on ways and means.

On motion by Mr. Miller of Marshall and Fulton,

The order of business was suspended.

On motion by Mr. Miller of Marshall and Fulton,

Resolved, That his Excellency the Governor be respectfully requested to return to this House bill of the Senate entitled "an act to incorporate the Lafayette Insurance company," which passed this House on yesterday, for the further consideration of the House.

On motion of Mr. Carnahan of Fountain,

The order of business was suspended.

On motion by Mr. Carnahan of Fountain,

Resolved, That the Doorkeeper be directed to request that those papers to which the members of this House are entitled to, by virtue of a resolution of this House, be placed on the desk of the members during the remainder of the session, instead of being sent from the office of publication.

PETITIONS, &C., PRESENTED.

By Mr. Dougherty of Boone,

The petition of citizens of Boone county praying for the passage of a law confining voters to their own road district, in voting for supervisors of highways ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Dougherty of Boone, Cotton, and Huey.

By Mr. Weaver,

The petitions of citizens of Carroll county praying a charter for a plank road from Delphi to Renssalaer, and from thence to the Illinois State line ;

Which,

On motion,

Was referred to the committee on corporations.

By Mr. Athon,

The temperance memorial of sundry citizens of New Washington, in Clark county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Huey,

The temperance memorial of citizens of Adams and Jay counties ;

Which,

On motion,

Was referred to the select committee on the same subject.

REPORTS FROM COMMITTEES.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred House bill No. 232 entitled "a bill to amend an act entitled 'an act defining the mode of publishing the delinquent tax list, in the several counties in this State,'" approved January 23, 1847, have directed me to report that it is inexpedient to legislate on the subject matter of the bill and to recommend to the House that it lay on the table.

Which report was concurred in.

Mr. Huey, from the committee on roads, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Washington and Clark counties, have had the same under consideration, and as we have no evidence of their having given thirty days' notice as is required by the law, have directed me to request the petition to be laid upon the table, and that the committee be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Cotton, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition of sundry citizens of the county of Huntington, praying for an act authorizing James Taylor of said county to erect a mill dam across the Salamonina river, have had the same under consideration and have directed me to report the following bill and respectfully recommend its passage :

No. 249. A bill to authorize James Taylor to erect a mill dam across the Salamonina river in Huntington county ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed

Mr. Thomas, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Riley Noble of Posey county, have had the same under consideration and

directed me to report the following bill, in accordance to the prayer of the petitioners and recommend its passage, and ask to be discharged from the further consideration of the subject :

No. 250. A bill to change the name of Mary Bell Neil to Mary Bell Noble ;

Which was read a first time and passed to a second reading.

Mr. Thomas moved to suspend the rules and read the bill a second time ;

Which motion did not prevail.

RESOLUTIONS.

On motion by Mr. Edwards,

Resolved, That the use of this Hall is hereby granted to the Superintendent of the Asylum for the Education of the Deaf and Dumb, and also to the Superintendent of the Asylum for the Education of the Blind, on such evenings, as each of them may select, during the present session, for the purpose of making an exhibition of the proficiency of the pupils under their respective charges, for the information of the members of this General Assembly.

On motion by Mr. Russell,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the 73d section, chapter 7, article 4, of the Revised Statutes of 1843, as to make it the duty of county treasurers to give bond on or before the 1st Monday in March next after his election, and also extending the term of office of the county treasurers whose term expires on the 12th of August next to the 1st Monday in March, 1851.

BILLS &C., INTRODUCED.

By Mr. Lane,

No. 251. A joint resolution on the subject of the public lands in the State of Indiana ;

Which was read a first time and passed to a second reading.

By Mr. Whinery,

No. 252. A bill to regulate the practice in chancery respecting the practice and duties of receivers, &c. ;

Which was read a first time and passed to a second reading.

By Mr. Carnahan of Fountain,

No. 253. A bill to amend an act authorizing the construction of Plank Roads, approved Jan. 13, 1849 ;

Which was read a first and second times, the rules being suspended therefor, and referred to the committee on the judiciary.

By Mr. O'Haver,

No. 254. A bill to locate a State road in the counties of Sullivan, Clay, Owen, and Hendricks ;

Which was read a first time and passed to a second reading.

By Mr. Hunter,

No. 255. A bill defining the jurisdiction of justices of the peace in Marion county, and amendatory of an act, entitled "An act to define the jurisdiction of justices of the peace in the several counties therein named," approved Jan. 16, 1849 ;

Which was read a first time and passed to a second reading.

By Mr. Elder,

No. 256. A bill for the relief of widows whose husbands die intestate ;

Which was read a first time and passed to a second reading.

By Mr. Watkins,

No. 257. A bill to incorporate the Harrison and Boardman Turnpike Road Company ;

Which was read a first time and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time, and referred to the committee on corporations.

By Mr. Edwards,

No. 258. A bill to incorporate the Western Plank Road Company ;

Which was read a first time and passed to a second reading.

On motion,

The rules were suspended, the bill read a second time, and referred to the committee on corporations.

By Mr. Athon

No. 259. A bill to amend section 11, chapter 56, of the Revised Statutes of 1843 ;

Which was read a first time and passed to a second reading.

By Mr. Defrees,

No. 260. A bill to provide for a registration of marriages, births, and deaths ;

Which was read a first time and passed to a second reading.

By Mr. Niblack,

No. 261. A bill to vacate a certain alley in the town of West Harrisonville and the town of Mount Pleasant, in the county of Martin ;

Which was read a first time and passed to a second reading.

By Mr. Cole,

No. 262. A bill to amend the laws subjecting real and personal property to execution ;

Which was read a first time and passed to a second reading.

By Mr. Brown of Randolph,

No. 263. A bill to amend an act relative to Common Schools ;

Which was read a first time and passed to a second reading.

On motion by Mr. Wilson,

Leave of absence was granted Mr. Miller of Owen.

On motion by Mr. Patterson,
Leave of absence was granted Mr. Brown of Shelby.

On motion by Mr. Rush,
Leave of absence was granted Mr. Hill.
By Mr. Bird,

No. 264. A bill to authorize Jacob C. Harsh, of De Kalb county, to erect a mill-dam across the Little St. Joseph river, in the county of Allen, Indiana ;

Which was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

ORDERS OF THE DAY.

Senate Bills on third reading.

No. 26. An act to locate a State road in the counties of Fountain, Montgomery, and Putnam ;

Which was read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

No. 77. An act to amend the charter of the Columbus, Nashville, and Bloomington Railroad Company ;

Was read a third time.

Mr. Cravens moved to commit the bill to the committee on corporations, with instructions to amend section 10, so as to sepecify the point or points to which said company intend making branches, and also, to amend said bill so as to prevent said company from interfering with the rights of companies heretofore chartered.

And also, amend by striking out all that portion of said bill, permitting counties and corporations issuing bonds for the purpose of taking stock in said road, or that no bond shall be so issued for a less sum than fifty dollars.

Mr. Delavan moved to amend the instructions in the proper place, so that Morgan county is to be excluded, as far as the board of county commissioners is empowered to subscribe stock.

Which motion prevailed, and the instructions were so amended.

Mr. Hillis moved to lay the instructions on the table,

Which motion did not prevail.

The question then being on committing the bill to the committee on corporations, with the foregoing instructions, was decided in the affirmative.

HOUSE BILLS ON THEIR SECOND READING.

No. 6. A bill relative to appeals and writs of error from probate courts ;

Was read a third time and passed.

On motion by Mr. Graves,

The title of the bill was amended to read as follows :

"An act relative to appeals and changes of venue from the probate courts."

Ordered, That the Clerk inform the Senate thereof.

No. 13. A bill in relation to witnesses fees ;

Was read a third time.

Mr. Orr moved to refer the bill to a select committee of five, with instructions to strike out "fifty," and insert "seventy-five cents per day."

Which motion prevailed.

The Speaker appointed Messrs. Orr, Harney, Dougherty of B., Edwards, and Carnahan of F., said committee.

No. 25. A joint resolution relative to the slave trade in the District of Columbia ;

Was read a third time.

Mr. Wilson moved to commit the joint resolution to the committee on military affairs, with the following instructions :

Amend by striking out from resolving clause and insert—

That the provisions of the ordinance of 1787, fully expresses and secures our opinions and rights in regard to slavery,

Therefore resolved, That any further expression of the sense of this people by the Legislature, is inexpedient and uncalled for.

The ayes and noes being demanded by Messrs. Butler and Lane:

Those who voted in the affirmative are,

Messrs. Alley, Athon, Barker, Bird, Burnet, Byers, Caldwell, Carnahan of Posey, Cleaver, Connor, Cotton, Cravens, Dougherty of Boone, Dougherty of Elkhart, Edwards Ellis, Farnesly, Gentry, Harney, Hart, Hicks, Holcomb, Humphreys, Johnson, Menaugh, Niblack, O'Haver, Reed, Richardson, Shepard, Sherrod, Thomas, Wells, Weir, Wilson, Withers, and Mr. Speaker—38.

Those who voted in the negative are,

Messrs. Bowen, Brown of Randolph, Butler, Carnahan of Fountain, Cole, Defrees, Delavan, Elder, Goodwin, Graves, Harvey, Hillis, Huey, Keeney, Knowlton, Lane, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Millikin, Morrison, Murray, O'Neal, Orr, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Salter, Shelby, Stewart, Stoops, Summers, Tinbrook, Warriner, Weaver, and Whinery—41.

So the joint resolution was not committed with instructions.

Mr. Graves called for the previous question,

Which was seconded by the House.

The question the being, "shall the main question be now put?"
The ayes and noes being demanded by Messrs. Graves and Orr :

Those who voted in the affirmative are,

Messrs. Bowen, Butler, Carnahan of F., Cole, Defrees, Delavan, Dougherty of Boone, Elder, Goodwin, Graves, Harney, Harvey, Hillis, Huey, Keeney, Knowlton, Lane, Lank, Leviston, May, Mickle, Miller of M. and F., Millikin, Morrison, Murray, O'Neal, Orr, Patterson, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Salter, Shelby, Stewart, Stone, Stoops, Summers, Tinbrook, Warriner, Wilson, and Whinery—43.

Those who voted in the negative are,

Messrs. Alley, Athon, Barker, Burnet, Byers, Caldwell, Carnahan of Posey, Cleaver, Connor, Cravens, Edwards, Ellis, Gentry, Greathouse, Hart, Hicks, Menaugh, O'Haver, Reed, Richardson, Shepard, Thomas, Wells, Weir, and Mr. Speaker—25.

So the main question was ordered to be now put.

Mr. Wilson moved to adjourn ;

Which motion did not prevail.

The question then being on the main question, which was, " Shall the joint resolution pass?"

The ayes and noes being demanded by Messrs. Lane and Butler :

Those who voted in the affirmative are,

Messrs. Bowen, Brown of Randolph, Burnet, Butler, Campbell, Carnahan of Fountain, Cole, Cotton, Defrees, Delavan, Dougherty of Boone, Dougherty of Elkhart, Elder, Goodwin, Graves, Harney, Harvey, Hillis, Holcomb, Huey, Keeney, Knowlton, Lane, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Millikin, Morrison, Murray, O'Neal, Orr, Patterson, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Salter, Shelby, Stewart, Stone, Stoops, Summers, Tinbrook, Warriner, and Whinery—48.

Those who voted in the negative are,

Messrs. Alley, Athon, Barker, Byers, Caldwell, Carnahan of Posey, Cleaver, Conner, Cravens, Edwards, Ellis, Farnesly, Gentry, Greathouse, Hart, Hicks, Humphreys, Johnson, Landiss, Menaugh, Niblack, O'Haver, Reed, Richardson, Shepard, Sherrod, Thomas, Wells, Weir, Wilson, Withers, and Mr. Speaker—33.

So the joint resolution passed.

Mr. Wilson moved to amend the title by striking out all after the

words "joint resolution," and insert "on a subject over which the Legislature of Indiana has no control."

The ayes and noes being demanded by Messrs. Lane and Gentry :

Those who voted in the affirmative are,

Messrs. Athon, Barker, Caldwell, Carnahan of Posey, Cleaver, Connor, Cravens, Dougherty of Elkhart, Edwards, Ellis, Farnesly, Gentry, Greathouse, Holcomb, Humphreys, Hunter, Johnson, Landiss, Menaugh, Niblack, O'Haver, Reed, Richardson, Shepard, Sherrod, Thomas, Wells, Weir, Wilson, Withers, and Mr. Speaker—31.

Those who voted in the negative are,

Messrs. Alley, Bowen, Brown of Randolph, Burnet, Butler, Campbell, Carnahan of Fountain, Cole, Cotton, Defrees, Delavan, Dougherty of Boone, Elder, Graves, Harney, Harvey, Hillis, Huey, Keeney, Knowlton, Lane, Lank, Leviston, May, Mickle, Millikin, Morrison, Murray, O'Neal, Orr, Patterson, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Salter, Shelby, Stewart, Stoops, Tinbrook, Warriner, and Whinery—42.

So the title was not so amended.

Mr. Edwards moved to amend the title as follows :

A joint resolution relative to preventing non-residents of the District of Columbia from trafficking in slaves in said District, but not preventing the citizens thereof from engaging in said traffic in said district.

Mr. Graves moved to lay the amendment to the title on the table. Which motion prevailed.

Mr. Cravens moved to strike out the title after the words "joint resolution," and insert "upon a subject over which the Legislature of Indiana has no legal control."

Mr. Murray moved to lay the amendment to the title on the table. Which motion prevailed.

On motion by Mr. Burnet,

The House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

The House having passed No. 25, entitled "a joint resolution relative to the slave trade in the District of Columbia,"

The question being, "Shall this be the title to the joint resolution?"

Mr. Wilson moved a call of the House.

Which motion prevailed.

On motion by Mr. Edwards,
Leave of absence was granted to Mr. Spencer.

On motion by Mr. Dougherty of Boone,
Mr. Chandler was excused in consequence of sickness.

On motion by Mr. Murray,
Leave of absence was granted to Mr. Prather.

The Clerk proceeded with the call, when seventy-eight members answered to their names.

On motion by Mr. Wilson,

The absentees were sent for, viz: Messrs. Cravens, Defrees, Ges-
sie, Huey, Hunter, Robson, Sherrod, and Stoops.

Several of the absentees having appeared and taken their seats—

On motion by Mr. Graves,
A further call of the House was suspended.

Mr. Lane called the previous question on the adoption of the title
of the joint resolution.

Which call was seconded by the House.

Mr. Wilson moved that the House adjourn.

Which motion did not prevail.

The question being "Shall the main question be now put?" was
decided in the affirmative.

Mr. Wilson moved that the House adjourn.

Which motion did not prevail.

The question then recurring on the main question, which was,
"Shall this be the title of the joint resolution?" was decided in the
affirmative.

Ordered, That the Clerk inform the Senate of the passage of the
aforesaid joint resolution.

The Speaker laid before the House the following communication
from his Excellency, the Governor:

EXECUTIVE DEPARTMENT, {
December 22, 1849. }

HON. GEO. W. CARR,

Speaker of the House of Representatives:

Please lay before the House over which you have the honor to
preside, bill No. 73, an act to amend an act entitled an act to in-
corporate the Lafayette Insurance company, approved February 8,
1836, in accordance to the resolution of the House of Representa-
tives this day passed.

Respectfully,

JOSEPH A. WRIGHT.

On motion by Mr. Mickle,

The vote on concurring in the amendment of the Senate to House bill No. 73, (which had just been returned by the Governor) was reconsidered.

On motion by Mickle,

The bill was laid on the table.

Mr. Withers, from the committee on corporations, (the order of business being suspended therefor) made the following report:

MR. SPEAKER :

The committee on incorporations, to whom was referred bill of the Senate No. 77, entitled an act to amend the charter of the Columbus, Nashville and Bloomington Railroad Company, with instructions, have had the same under consideration, and have amended the same as instructed, as follows :

Amend section 10 by striking out from the fourth line thereof the words, "place or places," and insert the words, "coal or iron mines, or deposits."

Also, amend the proviso in said section by striking out the word "twenty" and insert the word "five."

Also, further amend said section 10 by adding a proviso as follows :

Provided, That said company shall not interfere with the rights of any other Railroad company.

Amend section 6 by adding thereto a proviso as follows :

Provided, That no such bond shall be issued for a less sum than fifty dollars: *And provided further*, That the county commissioners of the county of Morgan, shall not be authorized to take any stock in said road.

All of which is respectfully submitted.

Which amendments were concurred in.

The bill as amended, was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Greathouse moved that the House adjourn ;

Which motion did not prevail.

On motion by Mr. Shelby,

Leave was granted to withdraw the papers accompanying the bill for the divorce of Mrs. Martin.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled :

No. 40. An act to repeal all laws of this State authorizing counties to subscribe for any corporation stock, so far as relates to the county of Morgan, and declaring the meaning of certain acts therein named ;

No. 75. An act to amend an act entitled "an act authorizing supervisors to work a certain road in Ohio county."

Whereupon, the Speaker signed the same.

Ordered, That the Clerk return said bill to the Senate.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled :

No. 29. An act to extend the time of holding the probate court of Hendricks county ;

No. 19. An act prescribing the time of holding the circuit courts in the second judicial circuit ;

No. 35. An act repealing an act relating to the jurisdiction of justices of the peace, so far as relates to Montgomery county ;

No. 36. An act to authorize the draining of the Peru Prairie, in Miami county ;

No. 53. An act to change the name of Eliza Jane Brister to Eliza Jane Swisher, and that of Nancy Brown to Nancy O'Neal ;

No. 41. An act to change the time of holding the October term of the probate court of Martin county ;

No. 56. An act to change the names of Mary Jane and Margaret Ann Manning of Vanderburgh county ;

No. 54. An act to amend an act entitled "an act requiring the supervisors of roads in Sullivan county, to make report at the March term in each year, and for other purposes," approved January 23, 1847 ;

No. 57. An an to amend an act entitled, "An act to regulate the mode of doing county business in the county of Putnam," approved January 15th, 1849 ;

No. 141. An act to amend an act incorporating the Michigan road company, approved January 15, 1845 ;

No. 68. A joint resolution in reference to the reduction of the price of the lands in the Miami National Reservation ;

No. 65. A joint resolution authorizing the reports from the State Bank and Commissioners of the Sinking Fund, to be made on the second week of the session.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. May, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled :

No. 63. An act in relation to Lamasco city.

No. 130. An act to revive and amend an act entitled "an act to authorize the election of a school commissioner in township 9, range 1 west, in Franklin county.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill, with the engrossed bill of the House, and find the same correctly enrolled :

No. 73. An act to amend an act entitled "an act to incorporate the Lafayette Insurance Company," approved February 8th, 1836.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House without amendment :

No. 158. An act to provide for the trial of criminal cases in Marion county.

ORDERS OF THE DAY.

House Bills on their Third Reading.

No. 32. A bill to provide for ascertaining the value of personal property exempt from execution ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

The Speaker laid before the House the following communication from his Excellency the Governor :

EXECUTIVE DEPARTMENT, }
Dec. 22d, 1849. }

HON. GEORGE W. CARR,

Speaker of the House of Representatives :

Please lay before the House over which you have the honor to preside, the accompanying communication upon the subject of the three per cent. fund, due the State of Indiana from the General Government.

Respectfully,

JOSEPH A. WRIGHT.

—
WASHINGTON, Dec. 14th, 1849.

DEAR SIR—After I received your last letter, relative to the contract which had been made by Governor Dunning with the agents employed to make a settlement with the United States, I have made some further inquiries in the matter, and find that nothing has been done. The Agents, Elbridge & Platt, are prosecuting a similar claim on behalf of the State of Alabama, and expect, if they obtain a favorable decision, to bring in the State of Indiana, and have it allowed without further trouble.

The contract made by Gov. Dunning should, in my opinion, be rescinded, for two reasons: 1st. The Governor had no authority to make it. 2d. The per cent. he has agreed to pay them (20 per cent.) is unreasonable and extravagant. When I first wrote you on the subject, I had no information relative to the matter, except the statement from Mr. Peugh, that such a claim existed, and he would get it allowed for the compensation which I named to you. Since I have learned more about it, I find the business will involve no expense, and but little trouble to the agent. If anything is due the State, one-fifth of it should not be given away—the State should not give more than ten per cent. of the money which may be recovered. If the State officers who have a right to control this matter will rescind the contract made by Governor Dunning, and execute a power of attorney to Samuel A. Peugh, I will guarantee that the business shall be attended to, and all that is due the State obtained for a

contingent compensation of 10 per cent. Will you bring this matter before them, and let me know their conclusion? The legislature being now in session, it may be the better plan to get a joint resolution passed authorizing the employment of a special agent.

Yours truly,

CALEB B. SMITH.

SAMUEL HANNAH, ESQ.,
Indianapolis, Ind.

WASHINGTON, D. C., *November 21st, 1849.*

CHARLES BUTLER, ESQ.—

DEAR SIR—Eldridge, Platt & Stewart are agents for the State of Indiana, under a commission from Governor Dunning, to re-state the five per cent. fund account of the State with the United States. You are, I presume, familiar with the nature of the fund—*i. e.* its origin under the admission compact with 'ndiana. I understand that you are likely to spend some time before the ensuing legislature of that State, and therefore venture to solicit of you a favor to myself and firm.

Our commission originated from a communication we made to the Governor during the last summer. Employed to re-state the account of Alabama, we had discovered matter of value to Indiana, entitling her to a large balance from the United States, on a re-statement of account, which should embody the matter we had discovered. The secret was our own—the fruit of our labor, skill, and position united. We communicated the fact to Governor Dunning, and offered to place the balance to the credits of the State on the proper re-statement, at our own risk and expense, on the principle of “no purchase, no pay,” provided we were empowered to do so, and were assured that when we had done so, a commission of 20 per cent. on the balance we would create, should belong to us. The Governor replied satisfactorily—gave the requisite authority, and every assurance which himself or cabinet could give, that 20 per cent. would be ours—but that the legislature alone could determine this. The high assurances of the Governor, and our own sense of the honor and justice of the State, rendered this arrangement entirely satisfactory to us, and we have acted under it.

To save labor of copying, we beg leave to refer you to our correspondence with the Governor, and his replies, which I presume you can easily see. It will disclose the subject fully.

You will see from a recent letter of ours, our report of what we

have done, and the position of the matter. Gov. Duuning will doubtless report on the subject to the Legislature, and it is desirable as well for the State as for us, that the present indeterminate arrangement as to compensation should give place to a finite one. It is to this subject, generally and especially to the latter point, that we solicit your attention for us. And we feel happy that business happens to require your presence, knowing us and the nature of our services so well as you do, and thus able to give satisfaction and information to the gentlemen of the Indiana Legislature.

To some of them perhaps it will appear easy to settle an account with the United States, and that 20 per cent. is a high commission. The facts, however, are otherwise. The account is of the most voluminous and laborious nature. The Receiver's account from every land office in the State, from her admission till now, must be examined, and the proceeds and expenses extracted and aggregated. Each item has to be rigidly examined in the original reports of the Receivers. These reports are monthly, the account and adjustments are quarterly; so you may conceive the labor of this duty in examining such a mass of reports and accounts for every office for a period of nearly 30 years. But this is a small part of the task—Those offices in Indiana or Illinois or Ohio, which sold lands for both States, have also to be examined in order to get the Indiana items.

Then comes the work incident to our secret. Your experience has possessed you respecting these facts. As an evidence, I will state the Alabama re-statement fills some 80 pages of those largest sized ledgers used in the public offices, every page completely filled with columns, there being from six to twelve columns necessary to each item. And all of these columns must balance on a general footing. An accountant will understand this difficulty alone. The footing and making proportions and balances are in themselves a month's work on these accounts. The mere rulings and writings are an immense task.

Thus you see that arithmetical, intellectual, and mechanical skill is requisite for these accounts.

To all this is to be added the fact that the secret which enriches Indiana is ours, as I said, the legitimate fruit of our skill, labor, and position; and that its assertion costs her nothing; all she gets is clear gain, and all the risk is ours. With all this borne in mind, and the further fact kept in view that five to ten per cent. is the ordinary commission for collecting debts, where the agent runs no risk and contributes no part of the capital, but when the client does all this, surely 20 per cent. for commission for our care is moderate.

Then it is the established rate; Ohio paid it to Mr. King of this city for her accounts; Illinois pays it to Judge Young for her's; and I expect Alabama to allow even higher—25 per cent., assured, however, by her agent's letters to me that 20 per cent. would at least

be the sum. I trust that I do not overburden you with this commission, and that you will act as the friend and adviser for us in it.

Respectfully yours,

CHARLES H. STEWART.

Mr. Carnahan of Fountain moved to refer the communications to the committee of ways and means ;

Which motion did not prevail.

On motion by Mr. Wilson,

The communications were laid on the table.

A message from his Excellency, the Governor, by Mr. Tarkington, the Executive Messenger :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills :

No. 44. An act to change the name of Restine Cox ;

No. 4. An act to authorize the commissioners of Howard county to borrow money ;

No. 3. An act to compel non-resident land owners to pay a road tax equal to that paid by resident proprietors ;

No. 16. An act to define the jurisdiction of justices of the peace in the county of Vermillion ;

No. 5. An act establishing additional places of holding elections in certain counties therein named ;

No. 35. An act repealing an act relating to the jurisdiction of justices of the peace, so far as relates to Montgomery county ;

No. 53. An act to change the name of Eliza Jane Bristo to Swisher, and that of Nancy Brown to Nancy O'Neal ;

No. 56. An act to change the names of Mary Jane Manning, and Margaret Ann Manning, of Vanderburgh county ;

No. 57. An act to amend an act, entitle ! an act to regulate the mode of doing county business, in the county of Putnam, approved January 15, 1849 ;

No. 65. A joint resolution authorizing the reports from the State Bank and Commissioners of the Sinking Fund, to be made on the second week of the session ;

No. 68. A joint resolution in reference to the reduction of the price of lands in the Miami National Reservation ;

No. 75. An act to amend an act, entitled an act to authorize supervisors to work a certain road in Ohio county ;

No. 41. An act to change the time of holding the October term of the probate court of Martin county ;

No. 19. An act prescribing the time of holding the circuit courts in the second judicial circuit ;

No. 29. An act to extend the time of holding the probate court of Hendricks county ;

No. 40. An act to repeal all laws of this State, authorizing

counties to subscribe for any corporation stock, so far as relates to the county of Morgan, and declaring the meaning of certain acts therein named ;

No. 36. An act to authorize the draining of the Peru prairie, in Miami county ;

All of which originated in the House of Representatives.

House bill

No. 33. A bill to repeal an act entitled an act to amend the statute providing for taking a change of venue in criminal cases,

Was read a third time, when,

On motion by Mr. Wilson,

The House adjourned.

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WEDNESDAY MORNING, 9 o'clock, DECEMBER 24, 1849.

The journal of the preceding day was read.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions, without amendment :

No. 28. An act to revive an act to compel speculators to pay a road tax in Randolph county equal to that paid by actual settlers, approved January 13, 1845 ;

No. 78. An act to legalize the settlement of the auditor and treasurer of Kosciusko county, for the financial year ending June 1849, and for other purposes ;

No. 104. An act to locate a State road in the counties of Howard and Miami ;

No. 105. An act to vacate the alleys in the town of Cumberland ;

No. 108. An act for the relief of William Sloan and Richard Sloan ;

No. 107. An act for the relief of Henry Berst and Titus G Berst ;

No. 118. An act in relation to public roads and highways in Bartholomew county ;

No. 127. An act for the relief of the Clark County Central Plank Road company ;

No. 131. An act to authorize William McDowell of the county of

Adams to erect a mill dam across the Wabash river in the said county of Adams ;

No. 142. An act granting the right of way through the county of Vermillion to the Danville and Georgetown Plank Road Company ;

No. 161. An act to reduce the number of township trustees in the county of Grant.

The Speaker laid before the House the following communication from his Excellency, the Governor :

EXECUTIVE DEPARTMENT, }  
December 24, 1849. }

HON. GEORGE W. CARR,

*Speaker of the House of Representatives:*

You will please lay before the House of Representatives the enclosed communications, on the subject of the 5 per cent. fund, belonging to the State of Indiana, being copies of the correspondence between the late Executive of the State, and Messrs. Eldridge, Platt, and Stewart, also the letter of said company to the undersigned.

Yours, respectfully,  
JOSEPH A. WRIGHT.

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NEW YORK, MAY 16th, 1849, }  
Office 49, William Street. }

SIR :—Having lately discovered a matter of some importance to the State of Indiana in her account with the United States, we take the liberty to mention the fact, and to accompany it with a proposal for rendering it available.

Sometime since we were retained as Agents for the State of Alabama to re-state and re-adjust her accounts with the United States, since her admission in 1819. Like those of Indiana, they are founded on the compacts which gives to the new States 5 per cent. on the nett proceeds of lands sold within their limits. Charles H. Stewart, one of our firm, selected because of his ability and experience as an accountant, is now engaged upon the account, and has been for the last three months.

Having had occasion to extend his researches into the accounts of States similarly interested, in order to investigate and test a certain principle which he could not sustain for Alabama, he turned to that of Indiana, and there found the data which he needed. Per-

suing his investigation he found, that in respect to Indiana, the principle was incontestable, and would exercise a predominating influence upon her account. The discovery is exclusively his. It has never been applied to any account, and is peculiar to Indiana. It is the fruit of legal and financial experience, meeting in the same person, aided by accident. While its result to the State would be beyond question, its precise extent is at present uncertain. To ascertain that fact, we would demand the bestowal of more time than the circumstances justify. Suffice it to say, that it will bring into your treasury a sum ranging from fifty to one hundred thousand dollars.

Such is our confidence in this result, that we propose to do, at our expense and risk, all that is needful to realize the amount for the State, provided we are assured that when we have done so, a commission of 20 per cent. on the amount recovered shall be ours. To you, sir, as Governor, we beg to submit, as we now do, a proposal to this effect. If the commission seem large, we would remark that the fund, for its payment, will be created by us, the fruit of our skill and labor, all that the State gets is clear gain, and the unknown resources. On our part, many months of personal and intellectual labor, of severest character, will be requisite. The remuneration is contingent, in no event can there be cost to the State; if successful, we are paid, if otherwise, we loose all. In the first case we get but one out of every five dollars, which we ourselves have created. The State, which does nothing, knows nothing, and risks nothing, gets all the benefits. Under such circumstances, a proportionate commission is always given. If from 5 to 10 per cent. is deemed a just compensation to a legal gentleman for collecting assured and tangible debts, where he contributes nothing to the creation of the debt, runs no risk, and performs no labor, surely 20 per cent. is not extravagant under circumstances which are, in every respect, the reverse. And as our interest would be thus identified with that of the State, the placing of \$5 in her treasury being a pre-requisite to obtaining \$1 for ourselves, she would bear the highest guarantee that her interests would be cared for, by all the aids which we could command.

That you may know something about us, we take the liberty to enclose our introduction from some of our prominent citizens, and who send some business testimonials.

We have the honor to be,  
 With much respect,  
 Your obedient servants,  
 ELDRIDGE, PLATT, & STEWART.

His Excellency,  
 PARIS C. DUNNING,  
*Governor of Indiana.*

STATE OF INDIANA, EXECUTIVE DEPARTMENT, }  
*Indianapolis, June 25, 1848.* }

MESSRS. ELDRIDGE, PLATT, & STEWART:

GENTLEMEN:—Your letter and card of the 15th ult., (May,) containing a proposition in reference to the accounts of Indiana with the General Government, were received by me some time ago. I should have given you an earlier answer, but sickness of myself, and the death of one of my daughters, have prevented my attention to it anterior to this date. The subject is certainly one of much importance to the State, and steps should be taken immediately to prosecute the investigation, and I know of none more likely to lead to a favorable result than your proposition, and certainly it is a very fair one, in my estimation. I do not conceive that I have the positive right to make an unqualified contract with you. I have consulted some of the State officers, and they agree with me in the opinion, that the proposition should be embraced by the State, as far as her Executive officer may have power to act positively in the matter. I have no hesitancy in saying that the Legislature of Indiana (to whose attention I will bring this subject at an early period of its ensuing session,) will accede to the terms by you proposed. I can only promise you, that your proposition, and whatever influence I may be able to exert, shall be exerted in favor of the terms of the proposal. If, under this assurance, you are willing to prosecute the investigation, I say to you, go on, and I doubt not in addition to my exertions, that my successor will add his influence. Please let me hear from you again at your earliest convenience.

I have the honor to be,

Yours, respectfully,

[Signed]

PARIS C. DUNNING.

MESSRS. ELDRIDGE, PLATT, & STEWART.

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*A Copy of part of a Letter written to Governor of Indiana, from Eldridge,  
 Platt, & Stewart.*

WASHINGTON, JULY 20th, 1849.

SIR:—We have had the honor of your favor of 25th ult. &c. Your communication though not to the extent desired, is satisfactory as far as it goes. We had hoped that a matter so manifestly for the interest of the State, and void of risk and cost to her, would be

deemed one of those emergencies which rest in the direction of the Supreme officer, and that you would feel justified in actually making this one sided agreement, secure of legislative sanction to so sound an exercise of discretion. We naturally desire to avoid the risk, which is inseparable from, of action of all large assemblies. Without desiring to be over-urgent, we would solicit your consideration of this matter.

If, however, you still feel that you cannot make a positive contract, we would then ask for a conditional one, to this purport, that 20 per cent. of the balance, which we shall establish by our statement, shall not be drawn by you, but allowed to remain in the treasury, until we place in your hands, such security as will satisfy you; then, that we be permitted to draw it, under the condition to refund the entire, or so much of it, as the Legislature may require. In this course you would be fully justified, &c., &c., &c. "You but permit us to receive and use money, all of which, probably, but the greater part certainly, will be ours."

The rest of the letter is unimportant.

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STATE OF INDIANA, EXECUTIVE DEPARTMENT, }  
*Indianapolis, August 6th, 1849.* }

MESSEES. ELDRIDGE, PLATT, & STEWART :

GENTLEMEN :—I am in receipt of your favor of the 20th ultimo. An answer has been delayed on account of my absence from the seat of government on business. I have carefully examined the contents of your letter, and conceive the proposition therein submitted to me for my consideration and approval, as fair; therefore, I accede to the latter proposition, which is conditional in its character, upon the terms set forth, and I have herewith forwarded you an appointment, or letter of authority, to act for the State. I have adopted, as you will discover, the form proposed. In adopting the latter proposition. I do not wish to be understood as doubting in the least degree the discretion, wisdom, or integrity of the Indiana Legislature. I perceive the ground upon which you place this matter, and duly appreciate your motives and judgment. Please let me hear from you again at as early a date as may suit your convenience.

Very respectfully,

(Signed.)

PARIS C. DUNNING.

MESSEES. ELDRIDGE, PLATT, and STEWART.

NEW YORK, *December 17, 1849.*

SIR:—At the suggestion of our friend, Charles Butler, Esq., we take the liberty of enclosing to you the correspondence which has passed between Gov. Dunning and ourselves upon the subject of the Indiana 5 per cent. account with the United States. At the date of his last letter, he sent us a formal power of attorney, authorizing our action as agents for the State in the re-statement of the account. We are now acting under it, and shall proceed toward its accomplishment with all possible despatch. It may be that the task will not be accomplished until your Legislature shall have adjourned. And it is, therefore, desired by us (if you shall deem our request not unreasonable) that at their present session they should fix our compensation, and confirm by resolution the conditional arrangement made with us by Governor Dunning.

We are, sir,

With great respect,

Your ob't servants,

ELDRIDGE, PLATT, & STEWART.

To his Excellency, JOSEPH A. WRIGHT,

*Governor of Indiana.*

P. S. Will you do us the favor to hand the enclosed documents to Mr. Butler, or return them to us by mail, when you shall have done with them.

E., P., S.

Mr. Cravens moved to refer the communication and correspondence to the committee of ways and means.

On motion by Mr. Wilson,

The communication and correspondence was laid on the table.

On motion by Mr. Patterson,

Leave of absence was granted to Mr. Watkins until 2 o'clock to-day.

On motion by Mr. Orr,

Leave of absence was granted to Mr. Lane until Thursday next.

By Mr. Carnahan of Fountain,

The temperance memorial of citizens of Fountain county;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Miller, of Marshall and Fulton,

The petition of William Starner for a divorce;

Which,

On motion,

Was referred to a select committee, consisting of

Messrs. Miller, of Marshall and Fulton, Leviston, and Carnahan of Fountain.

By Mr. Mickle,



The petition of citizens of Adams county, relative to a uniform mode of doing county business ;

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Butler,

The petition of citizens of township No. 17 north, range No. 13 east, in Wayne county ;

Which,

On motion,

Was referred to the committee on education.

By Mr. Mickle,

The petition of citizens of Allen and Adams counties, to incorporate a company to construct a Turnpike or Plank Road from Fort Wayne, by way of Decatur, to the State line near Willshire ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Mickle, Bird, and Huey.

By Mr. Murray,

The temperance memorial of citizens of Cass county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Wells,

The temperance memorial of citizens of Jackson county

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Defrees,

The temperance memorial of citizens of Elkhart county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Robinson of Laporte,

The temperance memorial of citizens of Laporte county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Wells,

The temperance memorial of ladies of Jackson county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Sherrod,

The petition of William Smith ;

Which,

On motion,

Was referred to the committee on claims.

By Mr. Ellis,  
The temperance memorial of citizens of Madison county ;  
Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Defrees,

The petition of citizens of Elkhart county, upon the subject of licensing peddlars ;

Which,

On motion,

Was referred to the committee on the judiciary ;

By Mr. Wilson,

The petition of citizens of Harrison, Crawford, Washington, and Orange counties, in relation to the navigation of Big Blue River ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Wilson, Landiss, Cravens, Menaugh, and Sherrod.

On motion by Mr. Shepard,

Mr. Wilson was added to the select committee on temperance.

On motion by Mr. Wilson,

Mr. Shepard was added to the select committee on temperance.

By Mr. Defrees,

The petition of citizens of Elkhart county, on the subject of homestead exemption ;

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Hunter,

The petition of sundry citizens of Marion county, praying the repeal of the school law of 1848-'9 ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Hunter, Robson, and Johnson.

On motion by Mr. Harney,

The House took from the table the memorials of the bondholders, and referred the same to the committee on claims.

On motion by Mr. Cravens,

The House took from the the table the communication from the Governor, laid before the House, on Saturday, and the communication laid before the House to day, on the subject of the five per cent. fund, and also, the accompanying correspondence.

On motion by Mr. Wilson,

The communications and correspondence were referred to the committee on ways and means.

Mr. Cole presented the petition of sundry citizens of Miami county, for a change in the road laws of said county ;

Which,

On motion,  
Was referred to a select committee, consisting of  
Messrs. Cole, Huey, and Mickle.

On motion by Mr. Murray,  
The order of business was suspended.  
Mr. Murray offered the following resolution :

*Resolved*, That the House will each day, at 2 o'clock, P. M., take up the orders of the day, unless sooner reached, and that messages of the Senate be first take up and disposed of.

Which resolution, being an amendment to the standing rules, lies over one day.

#### REPORTS FROM COMMITTEES.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House, No. 123, entitled a bill amending section 48, 49, and 50 of chapter 29, of the revised states of 1843, have had the same under consideration and directed me to report the same back to the House, without amendment and recommend the passage thereof.

Which report was concurred in and the bill ordered to be engrossed.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred bill of the House, No. 93, entitled a bill more effectually to protect the property of married women, have duly considered the same, and directed me to report that, in the opinion of said committee, by an act, entitled an act for the protection of the property of married women, approved January 23, 1847, all the interests of a married woman, in her real estate, and the rents and profits arising therefrom, are amply secured to her; that by an act approved January 26, 1847, married women are fully empowered to dispose of their lands and tenements, by last will and testament.

As to the provisions of said bill securing the continued ownership of personal property to the wife, although most anxious to save married women from the wretchedness frequently brought upon them by a prodigal waste of the funds secured to the husband by the marriage, a majority of the committee believe the mischief connected with the proposed remedy, would be greater than the

evil. They therefore recommend the indefinite postponement of said bill, which is herewith reported back to the House.

Which report was concurred in and the bill indefinitely postponed.

Mr. May, chairman of the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to whom was referred resolution of the House, instructing them to inquire into the expediency of so amending the 7th section of an act to increase and extend the benefits of common schools, approved January 17, 1849, as to provide for the appropriation and distribution of the tax levied under said act, to the schools in the township in which such tax is collected, respectfully report that they have had under consideration, the matter referred to them by said resolution, but after due inquiry, are of opinion that no amendment of said section 7, is called for at the present time, and that legislation thereon, is therefore, inexpedient. They, therefore, ask to be excused from the further consideration of the subject.

Which report was concurred in.

Mr. Orr, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 13, entitled "an act in relation to witnesses fees," with instructions to strike out "fifty" and insert "seventy-five cents per day," have had the same under consideration, have made the said amendment, and so amended respectfully recommend its passage, and ask to be discharged from the consideration thereof.

Mr. Carnahan of Posey moved to recommit the bill to a select committee with the following instructions :

Amend said bill by inserting in the proper place that witnesses attending before justices of the peace be allowed fifty cents per day ;

Which motion did not prevail.

Mr. Patterson moved to recommit the bill to a select committee with instructions to amend the same by allowing "fifty cents per day for witnesses, and five cents per mile in going to and returning from courts; also, to make the same extend to the Court of Common Pleas, Probate courts, and courts of justices of the peace ;"

Which motion did not prevail.

Mr. Salter called for the previous question,

Which was seconded by the House.

The question then being, "shall the main question be now put?"

Was decided in the affirmative.

The question then recurring on the main question, which was "shall the bill pass?"

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Dougherty of Boone, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Boone county praying the revival of the law of 1847, providing for the election of supervisors by districts in the counties of Boone and Wabash, so far the county of Boone is concerned, approved January 22d, 1847, have had the same under the consideration, and directed me to report the same back and recommend its passage :

No. 265. A bill to provide for the electing supervisors by districts in the counties of Boone, Delaware, Whitley, Huntington, and Parke ;

Which was read a first time and passed to a second reading.

On motion by Mr. Dougherty of Boone,

The rules were suspended, the bill read a second time, and

On motion by Mr. Carnahan of Posey,

The bill was amended by adding the county of Posey.

On motion,

The rules was suspended, the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Campbell, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Montgomery county praying for a charter for the "Alamo Sons of Reform," have had the same under consideration, and have directed me report the following bill, and recommend its passage :

No. 266. A bill to incorporate the "Alamo Sons of Reform" of the State of Indiana ;

Which was read a first time and passed to a second reading.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled :

No. 158. An act to provide for the trial of criminal causes in Marion county.

Whereupon, the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House without amendment :

No. 156. An act amending an act therein named.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the engrossed amendment of the House to the engrossed bill of the Senate :

No. 77. An act to amend the Columbus, Nashville, and Bloomington Railroad company.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House to the engrossed bill of the Senate :

No. 26. An act to locate a State road in the counties of Fountain, Montgomery, and Putnam.

#### BILLS, &C., INTRODUCED.

By Mr. Richardson,

No. 267. A joint resolution on the subject of increasing the Common School Fund.

Which was read a first time and passed to a second reading.

By Mr. O'Haver,



No. 268. A bill to encourage the construction of Rail and Plank Roads ;

Which was read a first time and passed to a second reading.

On motion,

The rule was suspended, and the bill read a second time.

On motion by Mr. O'Haver,

The bill was referred to the committee on the judiciary.

By Mr. Cotton,

No. 269. A bill declaratory of the meaning of the 129th section of the act to revise and consolidate the several acts of the General Assembly, in relation to laying out, opening, repairing, changing, and vacating, public highways, and the erection and repair of bridges, and to amend the same, approved January 16th, 1849 ;

Which was read a first time and passed to a second reading.

By Mr. Weaver,

No. 270. A bill to incorporate the Delphi Northern Plank Road Company ;

Which was read a first time and passed to a second reading.

By Mr. Shepard,

No. 271. A bill to amend an act therein named ;

Which was read a first time and passed to a second reading.

By Mr. Carnahan of Posey,

No. 272. A bill providing for an equivalent in money in lieu of stationery, as now furnished members of the General Assembly ;

Which was read a first time and passed to a second reading.

By Mr. Reed,

No. 273. A bill relative to the office of Auditor in Warrick county ;

Which was read a first time and passed to a second reading.

By Mr. Delavan,

No. 274. A bill defining the duties of County Commissioners ;

Which was read a first time and passed to a second reading.

#### ORDERS OF THE DAY.

When the House adjourned on Saturday last; the following bill was under consideration :

No. 33. A bill to repeal an act to amend the statute providing for taking a change of venue in criminal cases.

The question being on the passage of the bill,

Mr. Murray moved to indefinitely postpone the bill ;

Which motion did not prevail.

The question then recurring on the passage of the bill,

The ayes and noes being demanded by Messrs. Wilson and Athon :

*Those who voted in the affirmative are.*

Messrs. Barker, Bird, Burnet, Caldwell, Carnahan of Fountain, Connor, Cotton, Cravens, Delavan, Dougherty of Boone, Edwards,

Ellis, Farnesly, Gentry, Goodwin, Harney, Hicks, Holcomb, Huey, Hunter, Johnson, Keeney, Landiss, May, Menaugh, Mickle, Miller of Marshall and Fulton, O'Haver, Richardson, Robinson of Decatur, Shepard, Summers, Thomas, Tinbrook, Weaver, Wells, Whinery, and Mr. Speaker—38.

*Those who voted in the negative are,*

Messrs. Alley, Athon, Bowen, Brown of Randolph, Butler, Byers, Campbell, Carnahan of Posey, Cleaver, Cole, Defrees, Dougherty of Elkhart, Elder, Gessie, Graves, Hillis, Humphreys, Knowlton, Lank, Leviston, Morrison, Murray, O'Neal, Orr, Patterson, Robinson of Laporte, Ross, Rush, Salter, Shelby, Stewart, Stone, Warriner, Watkins, Weir, Wilson, and Withers—37.

So the bill passed.

*Ordered,* That the Clerk inform the Senate thereof.

On motion by Mr. Whinery,

The order of business was suspended, and the following bill taken up :

No. 252. A bill to regulate the practice in chancery respecting the powers and duties of receivers, &c.

On motion by Mr. Whinery,

The bill was referred to the committee on the judiciary.

On motion by Mr. Lank,

The House took up House bill.

No. 12. A bill to repeal certain acts relative to negroes and mulattoes.

Mr. Lank moved to refer the bill to the select committee on the subject of slavery.

Mr. Patterson moved to indefinitely postpone the bill.

The ayes and noes being demanded by Messrs. Lank and May :

*Those who voted in the affirmative are,*

Messrs. Alley, Athon, Barker, Bird, Bowen, Burnet, Byers, Caldwell, Carnahan of Posey, Cleaver, Connor, Cotton, Cravens, Delavan, Dougherty of Boone, Edwards, Ellis, Farnesly, Gentry, Goodwin, Graves, Greathouse, Harney, Hicks, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Landiss, Menaugh, Mickle, Miller of Marshall and Fulton, Morrison, Niblack, O'Haver, Patterson, Reed, Richardson, Ross, Rush, Salter, Shepard, Sherrod, Thomas, Tinbrook, Weaver, Wells, Weir, Wilson, Withers, and Mr. Speaker—54.

*Those who voted in the negative are,*

MESSRS. Brown of Randolph, Butler, Cole, Campbell, Defrees,

Dougherty of Elkhart, Elder, Knowlton, Lank, Leviston, May, Miliken, Murray, O'Neal, Orr, Robinson of Decatur, Robinson of LaPorte, Shelby, Stewart, Stone, Summers, and Whinery—22.

So the bill was indefinitely postponed.

#### HOUSE BILLS ON THIRD READING.

No. 45. A bill to amend the 43d section of the Revised Road law of 1849 ;

No. 49. A bill extending the jurisdiction of Notaries Public ;  
Were each read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 50. A bill to reduce the fees of the clerk of the Probate court ;

Was read a third time, and,

On motion by Mr. Shepard,  
The title was amended by adding "Knox county."

*Ordered*, That the Clerk inform the Senate thereof.

No. 61. A bill to restrict the grand jury of Frankin county to a limited time in their sessions ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Murray moved that the House adjourn.

Which motion did not prevail.

No. 55. A bill to provide for the payment of jury fees in civil cases in the Allen Circuit Court ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 62. A bill to prevent the forfeiture of school lands ;

Was read a third time, and,

On motion by Mr. Wilson,  
Laid on the table.

No. 67. A joint resolution in relation to soldiers of the war with Great Britain ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 76. A bill to legalize a certain act therein named ;

Was read a third time.

By unanimous consent the bill was so amended as to include the county of Whitley.

Mr. Wilson moved to recommit the bill to the committee on education with the following instructions :

"Make the provisions general."

Which motion prevailed.

No. 79. A joint resolution relative to using the lash in the United States Navy ;

No. 80. A joint resolution relating to the bounty land and three months extra pay of deceased officers, musicians, and privates engaged in the war with Mexico ;

Were each read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 82. A joint resolution on the subject of admitting slave territory.

Was read a third time ;

On motion by Mr. Harney,

The joint resolution was laid on the table.

No. 83. A joint resolution in relation to a mail route from Stilesville in Hendricks county, to Gosport, in Owen county, in the state of Indiana ;

No. 89. A bill to incorporate the Grand Royal Arch Chapter, of the State of Indiana ;

No. 90. A bill to amend an act entitled, "An act to re-charter the Hanover College ;"

Which were each read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof

No. 92. A bill for the relief of borrowers of the school and other funds from county officers ;

Was read a third time.

On motion by Mr. Harney,

The bill was laid upon the table.

No. 94. A bill to reduce the fees and emoluments of the Auditor and Treasurer of Steuben county ;

No. 96. A bill to amend the charter of the Logansport and Rochester Michigan Road Company ;

Were each read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 98. A bill to enable the owners of mill property, the better to protect and improve the same ;

Was read a third time, and,

On motion by Mr. Wilson,

Was laid on the table.

No. 99. A bill fixing the salaries of Auditor and Treasurer of Allen county ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 101. A bill to change the time of holding the board of equalization, in the county of Warren ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 102. A bill to appropriate part of the school funds in the county of Warren ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 106. An act for the better improvement of the roads in the county of Grant ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 110. A joint resolution on the subject of the completion of the Michigan City harbor ;

Was read a third time, when,

Mr. Cravens moved to lay the joint resolution on the table.

Which motion did not prevail.

The question then being on the passage of the joint resolution,

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

No. 111. A join resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 113. A bill to amend an act entitled "an act to incorporate the Liberty and Brownsville Turnpike Company," approved February 12, 1848 ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 114. A bill to incorporate the Jasper County Plank Road Company ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 120. A bill to amend an act to revise and consolidate the several acts of the General Assembly, relative to laying out, opening, repairing, changing, and vacating highways, and the erecting and repair of bridges, and to amend the same ;

Was read a third time.

The question being on the passage of the bill,

Was decided in the negative.

No. 122. A bill for the relief of William Northern ;

No. 125. A bill to extend the privileges of the State Library ;

Were each read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 129. A bill to increase the fees of jurors before probate courts ;

Was read a third time.

Mr. Slater moved to lay the bill upon the table ;

Which motion did not prevail.

The question then recurring on the passage of the bill,

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

No. 132. A bill to repeal the 61st section of "An act to provide for the continuation of the construction of all or any part of the public works of this State by private companies, and for abolishing the Board of Internal Improvements, and the offices of Fund Commissioner, and Chief Engineer," approved January 28th, 1842 ;

No. 133. A bill to incorporate the Spring Creek and Tippecanoe Bridge Company ;

No. 134. A bill to authorize the citizens of Adams county to vote for or against the relocation of the county seat of said county ;

No. 136. A joint resolution in relation to publishing an act therein named ;

No. 137. A joint resolution in relation to the United States surrendering State Bonds ;

No. 147. A bill to amend an act entitled an act to grant to the citizens of the town of Aurora, in the county of Dearborn, a city charter, approved February 14, 1848 ;

No. 150. A bill to exempt the Olive Branch Church in Jefferson county from the payment of State and county tax on five acres of ground ;

Were each read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 153. A bill to amend section 141 of chapter 35 of the Revised Laws of 1843, relating to the duties of overseers of the poor ;

Was read a third time.

Mr. Bowen moved to lay the bill on the table ;

Which motion did not prevail.

Mr. Elder moved to indefinitely postpone the bill.

Mr. Goodwin moved to lay the bill on the table ;

Which motion prevailed.

On motion by Mr. Edwards,

The order of business was suspended.

Mr. Edwards introduced,

No. 275. A bill to provide for the incorporation and regulation of telegraph companies ;

Which was read a first time and passed to a second reading.

On motion by Mr. Patterson,



The order of business was suspended.

Mr. Patterson introduced,

No. 276. A bill to regulate witness fees in the courts of common pleas, and the probate courts of the State of Indiana ;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and Mr. Gentry introduced,

No. 277. A bill to amend an act entitled " an act for the government of the Indiana Hospital for the Insane," approved February 15, 1848 ;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and Mr. Holcomb introduced,

No. 278. A bill to repeal an act therein named ;

Which was read a first time and passed to a second reading.

On motion by Mr. Ross,

Leave of absence was granted to Mr. Cleaver till Monday next.

On motion by Mr. Wilson,

The House adjourned to meet at 2 o'clock, P M.

*Two o'clock, P. M.*

The House met.

#### HOUSE BILLS ON THEIR THIRD READING.

No. 159. A bill to locate a state road in the counties of Miami and Wabash ;

No. 162. A bill providing for publishing notice of the time and place of sale of delinquent lands in the county of Steuben ;

No. 163. A bill providing for the sale of the school section in congressional township 26 north, of range 3 west, lying in the counties of White and Carroll ;

No. 164. A joint resolution in relation to establishing a bureau of agriculture in the department at Washington ;

No. 166. A bill regulating the mode of selecting and summoning petit jurors in the county of Martin ;

No. 167. A bill to incorporate the Tippecanoe Horse Thief detecting company ;

No. 168. A bill to incorporate the Evangelical Lutheran St. John Church of Dearborn county ;

No. 169. A joint resolution relative to donating the public lands to actual settlers ;

No. 172. A bill to amend the city charter of the city of Madison, approved the 14th day of February, 1848 ;

No. 173. A bill to amend the 9th section of the act to increase and extend the benefits of common schools ;

No. 174. An act to authorize the commissioners of Carroll County to employ a physician for the poor ;

No. 178. A bill to incorporate the Goodwin Female Institute of Lafayette ;

Were severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 179. A bill to amend an act, entitled "an act to revise and consolidate the several acts of the General Assembly relative to laying out, opening, repairing, changing, and vacating public highways, and the erection and repairing of bridges and to amend the same," approved January 16, 1849 ;

Was read a third time ;

On motion by Mr. Orr,

The bill was laid on the table.

No. 205. A bill to amend an act entitled "an act to incorporate the Terre Haute and Richmond Rail Road Company," approved January 26, 1847 ;

Was read a third time ;

On motion by Mr. Edwards,

The bill was laid on the table.

No. 210. A bill to incorporate the Terre Haute Insurance Company ;

Was read a third time ;

When,

By unanimous consent the bill was amended as follows :

Insert in the proper place—

"And the Legislature hereby reserves the right to alter or amend this charter, whenever they shall deem the same necessary.

The question then being,

"Shall the bill pass ?"

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

No. 215. A bill to compel non-residents to pay a road tax equal to that paid by residents, in the county of Whitley ;

No. 223. A bill to vacate an alley in Greencastle ;

No. 231. A bill to regulate the manner of doing business in the Jasper probate court ;

No. 234. A bill relative to the Union plank road, in Laporte county ;

No. 238. A bill to amend a certain act therein named ;  
 No. 249. A bill to authorize James Tayler to erect a mill dam  
 across the Salamonias river, in Huntington county ;  
 Were each read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Withers,  
 The House adjourned till Thursday morning 9 o'clock.

### THURSDAY MORNING, 9 O'CLOCK, DECEMBER 27, 1849.

The House met pursuant to adjournment.

The journal of the preceding day was read.

On motion by Mr. Wilson,  
 Mr. Edwards was added to the select committee on the subject  
 of temperance.

On motion by Mr. Edwards,  
 Mr. Greathouse was added to the select committee on the subject  
 of temperance.

#### PETITIONS, &C., PRESENTED.

By Mr. Spencer,  
 The petition of citizens of Ohio and Dearborn counties, relative  
 to the improvement of Laughery creek ;

Which,

On motion,

Was referred to a select committee, consisting of  
 Messrs. Spencer, Wright, and Conaway.

By Mr. Withers,

The petition of Wm. Hawthorn, William C. Davenport, and  
 others, of Pike county, praying for a change in the road laws ;

Which,

On motion,

Was referred to a select committee, consisting of  
 Messrs. Withers, Holcomb, and Landiss.

By Mr. Cotton,

The remonstrance of citizens of Whitley county against the en-  
 actment of laws prayed for in ;

Which,

On motion,

Was referred to the select committee on the subject of temperance.

By Mr. Allen,

The petition of citizens of Putnam county, relative to the salary of the Auditor of said county ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Allen, Lane, and Thomas.

By Mr. Elder,

The petition of sundry citizens of the eastern portion of Cambridge City, praying to be struck off from the corporation ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Elder, Beard, and Butler.

By Mr. Russell,

The temperance memorial of citizens of Hendricks county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Shepard,

The temperance memorial of citizens of Knox county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Weir,

A temperance memorial of the citizens of Sullivan county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Lank,

The temperance memorial of citizens of Randolph county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Wells,

The petition of sundry citizens of Jackson county, praying to be attached to the county of Lawrence ;

Also,

A remonstrance of sundry citizens of Jackson county, against attaching any territory of said county to the county of Lawrence ;

Which,

On motion,

Were referred to a select committee consisting of Messrs. Wells, Carr, O'Haver, Menaugh, and Huey.

By Mr. Robinson of Decatur,

The temperance memorial of sundry citizens of the county of Decatur ;

Which,

On motion,

Was referred to the select committee on the subject of temperance.

By Mr. Lank,

The remonstrance of sundry citizens of Randolph county against the repeal of the law relative to jurisdiction of justices of the peace ;

Which,

On motion,

Was referred to the select committee on that subject.

By Mr. Brown of Randolph,

The petition of sundry citizens of Randolph county, praying for the repeal of a certain law relative to the jurisdiction of justices of the peace ;

Which,

On motion,

Was referred to the select committee on that subject.

By Mr. Cole,

The petition of Nathan O. Ross and 42 others, citizens of Miami county, for the extension of the terms of the Board of Commissioners and the probate court of said county, and to increase the pay of the probate judge ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Cole, Huey, and Bird.

#### REPORTS FROM COMMITTEES.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill, No. 157, entitled "An act to amend section 100 of chapter 12 of the Revised Statutes of 1843, have had the same under consideration, and have directed me to report the same back to this House, and recommend its passage.

Which bill was read a second time and ordered to be engrossed.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the peti-

tion of George Liggit, praying to be divorced from his wife Ann, have had the same under consideration, and have instructed me to report it inexpedient to grant the prayer of the said petitioner, and for cause for such report would respectfully refer to the report heretofore made by said committee upon the subject of legislative divorces.

Which report was concurred in.

Mr. Graves moved to add Mr. Brown of Randolph to the committee on the judiciary.

Which motion prevailed.

Mr. May, chairman of the committee on education, made the following report:

MR. SPEAKER :

The committee on education, in obedience to a resolution of the House instructing them to inquire what legislation, if any, is necessary for the free understanding and carrying into effect section 8 of an act to increase and extend the benefits of Common Schools, approved Jan. 17, 1849, respectfully report, that for the full understanding and carrying into effect the provisions of said section 8 of said act, further legislation seems to be necessary; they, therefore, have drawn up, and herewith submit, the accompanying bill, and respectfully recommend its passage:

No. 279. A bill to amend an act, entitled "An act to increase and extend the benefits of Common Schools," approved January 17, 1849.

Which was read a first time and passed to a second reading.

Mr. Withers, from the committee on corporations, made the following report:

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House, No. 257, entitled "A bill to incorporate the Harrison and Boardman Turapike Road Company," have had the same under consideration, and a majority of said committee has instructed me to report the same back to the House without amendment, and recommend its passage.

Which bill was ordered to be engrossed.

Mr. Cole, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sun-



dry citizens of Miami county, for a change of the road laws of said county, have had that subject under consideration, and have instructed me to report the accompanying bill, and recommend its passage :

No. 280. A bill to compel speculators to pay their due proportion of road tax in the county of Miami.

Which was read a first time and passed to a second reading.

#### RESOLUTIONS.

The following resolutions, offered on Monday last by Mr. Murray, came up for consideration :

*Resolved*, That the House will each day, at 2 o'clock, P. M., take up the orders of the day, unless sooner reached, and that messages of the Senate be first taken up and disposed of.

Which was adopted.

Mr. Withers offered the following resolution :

*Resolved*, That the House will, the Senate concurring, adjourn *sine die* on the 12th day of January, 1850.

Mr. Mickle moved to lay the resolution on the table.

Which motion prevailed.

Mr. Carnahan of Fountain offered the following resolution :

*Resolved*, That the committee on benevolent and scientific institutions be instructed to inquire into the expediency of making provisions for a thorough geological examination of the State, and if deemed expedient by said committee, that they are hereby instructed to report a bill at the earliest practicable period, in which adequate provisions shall be made to secure a thorough and complete geological reconnoissance of the State by competent geologists.

Which was not adopted.

Mr. Mickle offered the following resolution :

*Resolved*, That no new business which requires the action of both branches of the General Assembly shall be introduced into this House after Monday next, without the consent of two-thirds of the members of this House.

Which was not adopted.

On motion by Mr. Athon,

*Resolved*, That the committee on the judiciary be instructed to bring in a bill to amend the execution laws, so that said laws shall not exempt property from execution for road tax purposes.

#### BILLS, &C., INTRODUCED.

By Mr. Spencer,

No. 281. A joint resolution in relation to costs in the district an -

circuit courts of the United States, in suits involving questions of patent rights by patentees and the assigns who are insolvent ;

Was read a first time and passed to a second reading.

By Mr. Elder,

No. 282. A joint resolution providing for the purchase of land for the Deaf and Dumb Asylum ;

Which was read a first time and passed to a second reading

On motion by Mr. Elder,

The rules were suspended, and the joint resolution read a second time.

On motion by Mr. Cravens,

The joint resolution was referred to the committee on benevolent and scientific institutions.

By Mr. Tinbrook,

No. 283. A bill relating to the probate court of Parke county ;

Which was read a first time and passed to a second reading.

By Mr. Spencer,

No. 244. A bill to incorporate the Rising Sun and Versailles Turnpike Road ;

Which was read a first and second time, the rules being suspended therefor, and,

On motion,

Referred to the committee on corporations.

By Mr. Allen,

No. 285. A bill to amend "an act to incorporate the trustees of Indiana Asbury University," approved January 10, 1837 ;

Which was read a first time and passed to a second reading.

By Mr. Cotton,

No. 286. A bill to enable the inhabitants of the counties of Huntington and Whitley to construct plank roads ;

Which was read a first time, and passed to a second reading.

On motion by Mr. Cotton,

The rules were suspended and the bill read a second time.

Mr. Cotton moved to suspend the rules and read the bill a third time.

Which motion did not prevail.

On motion by Mr. Elder,

The bill was referred to the committee on corporations.

By Mr. Thomas,

No. 287. A bill declaring an act entitled "an act to increase and extend the benefits of common schools," approved January 17, 1849, to be in force in certain counties, and for other purposes ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Garver,

Was referred to the committee on the judiciary.

By Mr. Butler,

No. 288. A bill for the relief of Nehemiah Cheesman, of Wayne county ;

Which was read a first time and passed to a second reading.

On motion by Mr. Butler,

The rules were suspended and the bill read a second time.

Mr. Butler moved to suspend the rules and read the bill a third time.

Which motion did not prevail.

The bill was ordered to be engrossed.

By Mr. Elder,

No. 289. A bill for the more speedy completion of the Indiana Hospital for the Insane ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee of ways and means.

By Mr. Stoops,

No. 290. A bill to incorporate the Noblesville Bridge Company ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee on corporations.

By Mr. Cole,

No. 291. A bill to incorporate the Peru and Warsaw plank road company ;

Which was read a first time, and passed to a second reading.

By Mr. Conaway,

No. 292. A bill to revive an act to provide for the support of the indigent blind of the state of Indiana ;

Which was read a first time and passed to a second reading.

On motion by Mr. Edwards,

Mr. Greathouse was excused from serving on the select committee on the subject of temperance.

On motion by Mr. Lane,

Mr. Edwards was excused from serving on the select committee on the subject of temperance.

#### ORDERS OF THE DAY.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following bills thereof :

No. 90. An act to compel speculators to pay a road tax equal to that paid by actual settlers, in Noble county ;

No. 99. An act to amend the charter of the Indianapolis and Bellefontaine Railroad Company ;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of the Senate bills contained in the foregoing message :

No. 90. A bill to compel speculators to pay a road tax equal to that paid by actual settlers in Noble county ;

Was read three several times, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 99. A bill to amend the charter of the Indianapolis and Bellefontain Railroad company ;

Was read a first time and passed to a second reading.

On motion by Mr. Hunter,

The rules were suspended and the bill read a second time.

Mr. Hunter moved to strike out the word "ten" in the thirteenth line of the first section, and insert the word "five," and at the end of the first section add the words, "and may be converted into the stock of the company at the will of the holder."

On motion by Mr. Carnahan of Posey,

The bill was referred to the committee on corporations.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions thereof:

No. 76. A joint resolution on the subject of the Michigan City harbor ;

No. 96. An act directing the Secretary of State to make a patent for a certain lot in the town of Indianapolis to Samnel Henderson ;

No. 97. An act relative to the National Monument at Washington ;

No. 98. An act to repeal an act authorizing jailors to discharge prisoners in certain cases ;

No. 109. An act regulating the road laws in the county of Monroe ;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of the Senate bills contained in the foregoing message :

No. 67. A joint resolution on the subject of the Michigan City harbor ;

No. 96. A bill directing the Secretary of State to make a patent for a certain lot in the town of Indianapolis to Samuel Henderson ;

No. 97. A bill relative to the National Monument at Washington ;

No. 98. A bill to repeal an act authorizing jailors to discharge prisoners in certain cases ;

Which were severally read a first time and passed to a second reading.

No. 109. A bill regulating the road laws in the county of Monroe ;

Was read a first time and passed to a second reading.

On motion by Mr. Hunter,

The order of business was suspended, and the House took up Senate bill

No. 96. A bill directing the Secretary of State to make a patent for a certain lot in the town of Indianapolis to Samuel Henderson ;

On motion by Mr. Hunter,

The rules were suspended, the bill read a second and third times and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions thereof :

No. 86. An act to vacate streets and alleys therein named ;

No. 115. An act to incorporate a company to construct a turn-pike road from Dillsborough to Versailles ;

No. 116. A joint resolution in relation to the brave and patriotic sons of Hungary ;

No. 117. An act for the better security of the surplus revenue fund in Green county ;

No. 118. An act to amend an act to provide for the construction of a Railroad from Martinsville, in Morgan county, to Franklin, in Johnson county ;

No. 119. An act to increase the pay of the board of commissioners of Daviess county ;

No. 122. An act to give the probate judge of the county of Gibson jurisdiction of writs of *habeas corpus* ;

No. 125. An act for the purpose of conferring and carrying out all charitable devices, bequests, donations, gifts, and legacies ;

No. 127. An act to authorize a company to construct the King's Ridge and Moorshill Turnpike ;

No. 128. An act to authorize a company to construct the Hart's Mill and Marion Turnpike ;

No. 129. An act to change the time of holding the circuit and probate courts in the county of Switzerland ;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of Senate bills contained in the foregoing message :

No. 86. A bill to vacate streets and alleys therein named ;

No. 115. A bill to incorporate a company to construct a turnpike road from Dillsborough to Versailles ;

No. 116. A joint resolution in relation to the brave and patriotic Sons of Hungary ;

No. 117. A bill for the better security of the surplus revenue fund, in Green county ;

No. 118. A bill to amend an act to provide for the construction of a Railroad from Martinsville, in Morgan county, to Franklin, in Johnson county ;

No. 119. A bill to increase the pay of the board of commissioners, of Daviess county ;

No. 122. A bill to give the probate judge of the county of Gibson, jurisdiction of writs of *habeas corpus* ;

No. 125. A bill for the purpose of confirming and carrying out all charitable, devices, bequests, donations, gifts, and legacies ;

Nor 127. A bill to authorize a company to construct the King's Ridge and Moor's Hill turnpike ;

No. 128. A bill to authorize a company to construct the Harts Mill and Marion turnpike ;

No. 129. A bill to change the times of holding the circuit and probate courts in the county of Switzerland ;

Which were severally read a first time, and passed to a second reading.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. PRESIDENT :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, with sundry amendments :

No. 20. An act for the improvement of high ways in the county of Boone ;

No. 71. An act to repeal a proviso to an act therein named ;

In which amendments, the concurrence of the House is respectfully requested.

The question being on concurring in the amendment of the Senate to House bill, No. 20, entitled a bill for the improvement of highways in the county of Boone,

Mr. Dougherty of Boone, moved to concur with the following amendments :

Amend the 4th section as follows :

And when the labor and road tax, assessed on the inhabitants and property of any district, shall be insufficient to keep the highways within the same, in repair, the supervisor in the proper district in said county, shall make another assessment of labor upon



the inhabitants of his respective district, in proportion to the regular amount of labor and tax assessed upon each for the current year, not to exceed two days.

Add the following section :

Sec. —. Nothing in this act shall be so construed as to repeal the local laws upon this subject, now in force.

Which motion prevailed.

*Ordered*, That the Clerk inform the Senate thereof.

The question being on concurring in the amendment of the Senate to House bill, No. 71, entitled a bill to repeal the proviso of an act therein named.

Mr. Murray moved to lay the bill and the amendment of the Senate on the table.

Which motion prevailed.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill thereof :

No. 139. An act providing for the election of township assessors in the counties of Green and Hamilton ;

In which the concurrence of the House is respectfully requested.

Which bill was read a first time, and passed to a second reading.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills thereof :

No. 40. An act to incorporate the Princeton Female College ;

No. 78. An act providing for changes of venue in the probate courts of this State ;

No. 84. An act fixing the salaries of the trustees of the Wabash and Erie Canal ;

No. 91. An act to amend the 138th section of the 45th chapter of the revised statutes of 1843 ;

No. 93. An act in relation to certain costs in certain cases.

No. 123. An act to amend section 21, article 2, chapter 46, of the revised statutes of 1843 ;

No. 142. An act amendatory to an act, entitled an act to define the jurisdiction of justices of the peace, in the several counties therein named ;

No. 143. An act to legalize the returns of the vote given for and against the school law in Shelby county ;

No. 144. A bill to change the name of the town of Springfield in Hendricks county ;

No. 145. An act to legalize the acts of Johnson Farley, a justice of the peace ;

No. 148. An act for the relief of Delila and Sylvester Conklin, of Wayne county ;

No. 164. An act to amend an act, entitled an act for the relief of Louisa Jane Cassat, approved January 22, 1849 ;

In all of which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of Senate bills contained in the foregoing message :

No. 40. A bill to incorporate the Princeton Female College ;

No. 78. A bill providing for changes of venue in the Probate courts of this State ;

No. 84. A bill fixing the salaries of the Trustees of the Wabash and Erie Canal ;

No. 91. A bill to amend the 138th section of the 45th chapter of the Revised Statutes of 1843 ;

No. 93. A bill in relation to costs in certain cases ;

No. 123. A bill to amend section 21, article 2d, chapter 46, of the Revised Statutes of 1843 ;

No. 142. A bill amendatory to an act entitled, "An act to define the jurisdiction of justices of the peace in the several counties therein named ;

No. 143. A bill to legalize the returns of the vote given for and against the school law in Shelby county ;

No. 144. A bill to change the name of the town of Springfield in Hendricks county ;

No. 145. A bill to legalize the acts of Johnson Farley, a justice of the Peace ;

Which were severally read a first time, and passed to a second reading.

No. 148. A bill for the relief of Delila and Sylvester Conklin of Wayne county ;

Was read three several times, the rules being suspended therefor, and passed.

*Ordered,* That the Clerk inform the Senate thereof.

No. 164. A bill to amend an act entitled, "An act for the relief of Louisa Jane Cassat," approved Jan. 22, 1849 ;

Was read three several times, the rules being suspended therefor, and passed.

*Ordered.* That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House with sundry amendments :

No. 61. An act repealing an act therein named ;

No. 72. An act prohibiting the stretching of seins across Laughery creek, and other streams in the State of Indiana ;

No. 77. An act to amend the act to establish a free turnpike road in Adams county, approved, January 15, 1845 ;

In which amendments the concurrence of the House is respectfully requested.

The question being on concurring in the amendment of the Senate to House bill,

No. 61. A bill repealing an act therein named ;”

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The question being, on concurring in the amendment of the Senate to House bill,

No. 72. A bill prohibiting the stretching of seins across Laughery creek, and other streams in the State of Indiana ;

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The question being, on concurring in the amendment of the Senate to House bill,

No. 77. A bill to amend the act to establish a free Turnpike road in Adams county, approved January 15, 1845 ;

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills and joint resolutions thereof :

No. 7. An act to amend an act entitled, “An act to incorporate the Milton and Waterloo Turnpike company ;

No. 18. An act to incorporate the Union Turnpike Company ;

No. 95. An act amendatory of an act entitled, “An act to incorporate the Delphi Plank Road Company,” approved January 15, 1849 ;

No. 107. An act to incorporate the Indiana Asbury Female College ;

No. 110. An act to consolidate the Richmond Turnpike Company, and for other purposes connected therewith;

No. 112. An act to repeal an act entitled, "An act to repeal an act to provide for the election of Prosecuting Attorneys by the people of the several counties," approved, January 27, 1847;

No. 133. An act to amend an act entitled, "An act authorizing the construction of plank roads," approved, January 15, 1849;

No. 137. An act for the relief of the Lawrenceburg and Napoleon Turnpike Company;

No. 169. An act to authorize the Trustees of the first regular Baptist church of Crawfordsville. Montgomery county, Indiana, to sell land;

In all of which the concurrence of the House is respectfully requested.

Which bills were severally read a first time and passed to a second reading.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions thereof:

No. 42. An act to incorporate the Fort Wayne Fire and Marine Insurance Company;

No. 132. A joint resolution in relation to the public documents of the State of Indiana;

No. 153. An act to amend an act entitled, "An act to incorporate the city of Jeffersonville, and to enlarge the boundaries thereof;"

No. 157. An act to amend an act to incorporate the Henry County Turnpike Company, approved Dec. 5, 1848;

No. 168. An act to vacate a part of the Fort Wayne and Lima State road, and for other purposes;

No. 179. An act to change time of holding the Hancock Circuit Court;

No. 180. An act defining the duties of Treasurer of Hancock county;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of bills of the Senate contained in the foregoing message:

No. 42. A bill to incorporate the Fort Wayne Fire and Marine Insurance company;

No. 132. A joint resolution in relation to the public documents of the State of Indiana;

No. 153. A bill to amend an act entitled "an act to incorporate the city of Jeffersonville and to enlarge the boundaries thereof;"

Were severally read a first time and passed to a second reading.

No. 157. A bill to amend an act to incorporate the Henry County Turnpike Company, approved December 6th, 1848;

Was read three several times, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 168. A bill to vacate a part of the Fort Wayne and Lima State road, and for other purposes;

Was read a first and second time, the rules being suspended therefor, and ordered to a third reading.

No. 179. A bill to change the time of holding the Hancock Circuit Court;

No. 180. A bill defining the duties of the Treasurer of Hancock county;

Were each read a first time and passed to a second reading.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof:

No. 163. An act to incorporate the Vevay, Mount Sterling, and Versailles Turnpike Road company;

No. 187. An act to locate a State road in the counties of Posey and Vanderburgh;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of the bills of the Senate contained in the foregoing message:

No. 163. A bill to incorporate the Vevay, Mount Sterling and Versailles Turnpike Road company;

Was read a first time and passed to a second reading.

On motion,

The rules were suspended, the bill read a second time and referred to the committee on corporations.

No. 187. A bill to locate a State road in the counties of Posey and Vanderburgh;

Was read a first time and passed to a second reading.

#### SENATE BILLS ON SECOND READING.

No. 5. A bill defining the duties of the Auditor and Treasurer of the county of Delaware;

On motion by Mr. Brown of Randolph,

The bill was amended by inserting the county of Randolph.

On motion by Mr. Orr,

The rules were suspended, the bill read a third time, and passed.

On motion by Mr. Orr,

The title was amended by adding the county of Randolph.

*Ordered*, That the Clerk inform the Senate thereof.

No. 14. A bill to amend an act to incorporate Anderson's Collegiate Institute ;

Was read a second time and ordered to a third reading.

No. 15. A bill to amend an act to incorporate the Lake Michigan, Logansport, and Ohio River Railroad company, approved the 16th of February, 1848 ;

Was read a second time, and

On motion by Mr. Cole,

Was referred to the committee on canals and internal improvements.

No. 19. A bill to amend an act entitled "an act to authorize a company to construct a turnpike road from the point where the present State road leading from Oxford to Connersville crosses the State line of Ohio and Indiana to Connersville ;"

Was read a second time and ordered to a third reading.

No. 21. A bill entitled "an act defining the duties of Treasurer, Auditor and Supervisors of highways in the county of Dearborn," approved January 26th, 1847 ;

Was read a second time, and ordered to a third reading.

No. 22. A bill to amend the charter of Rushville and Shelbyville Railroad Company ;

Was read a second time.

Mr. Rush moved to amend said bill by adding the following section :

Sec. —. Said Company, if the Directors thereof deem it expedient, shall have the power to sell said road to any person or persons or corporation, or may lease it for a term of years, to any other railroad company, person, or association of persons ; and any other railroad company incorporated within the State may make such purchase, or hire said road for a term of years, on such terms as may be agreed upon by said Company and the person or corporation making the contract: *Provided*, The stockholders of said Rushville and Shelbyville Railroad Company assent to such contract being made.

Which amendment was adopted.

The bill was amended and ordered to a third reading.

On motion by Mr. Bird,

The House adjourned to meet at 2 o'clock, P. M.



*Two o'clock, P. M.*

House met.

SENATE BILLS ON SECOND READING.

No. 25. A bill to extend the time of holding the Circuit Court in and for the county of Henry ;

Was read a second time.

Mr. Summers moved to amend the bill by striking out the third section ;

Which motion prevailed.

On motion by Mr. Summers,

The rules were suspended, the bill as amended read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 28 A bill to regulate and change the mode of selecting petit jurors in Laporte county ;

Was read a second time.

Mr. Robinson of Laporte offered the following amendment :

1st. In the last section strike out the words "Indiana State Sentinel" and insert the words, "Laporte County Whig."

Add the following section :

Sec. 3. It shall be the duty of the Secretary of State, previous to the first Monday of April, 1850, to transmit a certified copy of this act to the clerk of the Circuit Court of Laporte county.

Which was adopted.

The bill as amended was ordered to a third reading.

No. 31. A bill declaring the meaning of a certain act entitled an act to amend an act to authorize the people of the several townships in the several counties to prohibit the retailing of spirituous liquors, approved January 28th, 1847, so far as the same relates to the county of Wabash, approved January 16th, 1849 ;

Was read a second time.

On motion by Mr. Hillis,

The bill was laid on the table.

No. 33. A bill to amend the 18th section of article 3, chapter 5, of the Revised Statutes of 1843 ;

Was read a second time and ordered to a third reading.

No. 37. A bill for the relief of Betsy Ann Simpson ;

Was read a second time.

On motion by Mr. Keeney,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 38. A bill to incorporate the Old School Presbyterian Church of Dunlapsville, in the county of Union, and State of Indiana ;  
Was read a second time.

On motion by Mr. Leviston,  
The rules were suspended, the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 43. A bill amendatory of the act relative to the practice of law ;

Was read a second time and ordered to a third reading.

No. 44. A bill for the relief of Anthony F. Yager ;

Was read a second time.

On motion by Mr. Mickle,  
The rules were suspended, the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 32. A bill to extend the time of holding the commissioners' court in Marion county ;

No. 53. A bill to amend section eighty two, chapter six, of the Revised Statutes of 1843, extending the use of the State Library to professors and teachers ;

No. 54. A bill extending the time of holding the sessions of the board of county commissioners in the county of Fountain ;

Were severally read a second time and ordered to a third reading.

No. 56. A bill to increase the salary of the probate judge of Posey county, in the State of Indiana ;

Was read a second time.

On motion by Mr. Thomas,  
The bill was referred to a select committee consisting of,  
Messrs. Thomas, Carnahan of Posey, and Cravens.

No. 58. A joint resolution in relation to the soldiers of the late war with Great Britain ;

Was read a second time.

On motion by Mr. Prather,  
The rules were suspended, the joint resolution read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Allen,

The order of business was suspended, and House bill

No. 205. A bill to amend an act entitled an act to incorporate the Terre Haute and Richmond Railroad Company, approved January 26th, 1847,

Was taken from the table.

By unanimous consent, the bill was amended by striking out the 7th section of the bill and inserting in the proper place—

“ That no privilege shall be granted by the provisions of this act

that will in any way interfere with the rights of companies heretofore chartered."

The question then being, "shall the bill pass?"  
Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

No. 61. A bill for the relief of the heirs of William Shultz, deceased;

No. 62. A bill to amend an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849;

No. 64. A bill to extend the time of holding the sessions of the board of county commissioners of Montgomery county;

No. 66. A bill to amend an act entitled "an act to incorporate the Moscow and Blooming Grove Turnpike Company," approved January 15th, 1849;

Were severally read a second time and ordered to a third reading.

No. 67. A bill to amend the act entitled "an act to change the time of holding the probate court in Franklin county," approved February 15th, 1848;

Was read a second time.

On motion by Mr. Ross,

The rules were suspended, the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 68. A bill to amend an act entitled "an act to change the mode of electing grand jurors in the county of Orange;

No. 69. A bill to enable the Trustees of the Harrison County Seminary to convey certain lots therein named;

Were each read a second time and ordered to a third reading.

No. 71. A bill to amend an act entitled "an act to amend an act entitled. an act to incorporate the Knightstown and Shelbyville Rail Road Company," returned by the Governor to the Senate February 11th, 1848;

Was read a second time.

On motion by Mr. Brown of Shelby,

The bill was referred to the committee on corporations.

No. 72. A bill for the relief of Herman Henry Kluter and Frederick William Kluter, of the county of Ripley, Indiana;

No. 73. A bill for the relief of Sibel R. Dekernan;

No. 74. A joint resolution relative to a settlement of the accounts subsisting between this State and the General Government, relative to the three per cent. fund;

Were severally read a second time and ordered to a third reading.

No. 80. A bill to extend the powers of the President and Trustees of the town of Columbus;

Was read a second time.

On motion by Mr. Hart,

The bill was referred to a select committee consisting of Messrs. Hart, Essex, and Rush.

No. 81. A bill authorizing the board doing county business for the county of Morgan to continue in session ten days at their March and June terms ;

No. 88. A bill to consolidate and publish in one act, the several acts and parts of acts that now incorporate the Madison and Napoleon Turnpike Company ;

Were each read a second time and ordered to a third reading.

No. 89. A bill to locate a State road in the counties of Martin, Orange, and Crawford ;

Was read a second time.

On motion by Mr. Niblack,

The rules were suspended, the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 106. A bill to legalize the acts of the board of county commissioners of the counties of St. Joseph, Marshall, and Fulton, in assessing the road taxes in said counties for the year 1849 ;

Was read a second time.

On motion by Mr. Miller of M. and F.,

The rules were suspended, the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

#### HOUSE BILLS ON SECOND READING.

No. 180. A bill to amend an act entitled "an act to increase and extend the benefits of common schools, &c. ;

Was read a second time.

On motion by Mr. Carnahan of Posey,

Was laid on the table.

On motion by Mr. Hill,

The order of business was suspended.

Mr. Hill introduced

No. 293. A bill to extend the powers of the Shelbyville Lateral Branch Rail Road Company, the Knightstown and Shelbyville Rail Road Company, and the Rushville and Shelbyville Rail Road Company, and for other purposes ;

Which was read a first and second times, the rules being suspended therefor, and

On motion by Mr. Brown of Shelby,

Referred to the committee on corporations.

On motion by Mr. Thom,

Bill of the House No. 153, entitled "a bill to amend section 141, of chapter 35, of the Revised Statutes of 1843, relating to the duties of overseers of the poor,"

Was taken from the table, and placed on the files of the House.

On motion by Mr. Greathouse,  
The House took from the table,  
Bill of the House No. 135, entitled "a bill regulating the pay of the probate judge of Vanderburgh county."

Mr. Greathouse moved to strike out from the enacting clause, and insert the following :

"That hereafter the pay of the probate judge of Vanderburgh county shall be increased to three dollars per day : *Provided*, That the said increase of pay shall be left to the discretion of the Board of County Commissioners of said county, and shall be paid out of the county treasury.

Sec. 2. This act to take effect and be in force from and after its passage."

Which motion prevailed.

The bill as amended was ordered to be engrossed.

On motion by Mr. Greathouse,  
The rules were suspended, the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 181. A bill to repeal in part an act entitled "an act to increase and extend the benefits of common schools," approved January 17th, 1849 ;

Was read a second time.

On motion by Mr. Spencer,  
Was referred to the committee on education.

No. 182. A bill to amend article 1st, chapter 12, of the Revised Statutes of 1843 ;

Was read a second time.

On motion by Mr. Prather,  
Was referred to the committee on ways and means.

Ne. 183. A bill to regulate grand and petit jurors' fees in the county of Adams ;

On motion by Mr. Mickle,  
The bill was amended by adding the county of Wells.

On motion by Mr. Delavan,  
The county of Morgan was added.

On motion by Mr. Goodwin,  
The county of Daviess was added.

On motion by Mr. Rush,  
The county of Rush was added.

On motion by Mr. Ellis,  
The county of Madison was added.

On motion by Mr. Huey,  
The bill was amended by adding the counties of Blackford and Jay.

Mr. Wells moved to refer the bill to the committee on the judiciary, with instructions to make the law general.

Which motion did not prevail.

On motion by Mr. Hunter,  
The bill was amended by adding the county of Marion.

On motion by Mr. Stewart,  
The bill was amended by adding the county of Henry.

On motion by Mr. Holcomb,  
The county of Gibson was added.

On motion by Mr. Wier,  
The county of Sullivan was added.

On motion by Mr. Wright,  
The county of Switzerland was added.

On motion by Mr. Cotton,  
The counties of Huntington and Whitley were added.

On motion by Mr. Harvey,  
The county of Hamilton was added.

Mr. Prather moved to amend the bill by adding the remaining counties in the State.

Which motion did not prevail.

On motion by Mr. Withers,  
The bill was amended by adding the county of Pike.

On motion by Mr. Greathouse,  
The county of Vanderburgh was added.

On motion by Mr. Richardson,  
The county of Spencer was added.

On motion by Mr. Wells,  
The county of Jackson was added.

On motion by Mr. Johnson,  
The county of Parke was added.

On motion by Mr. Prather,  
The county of Jennings was added to the bill.

On motion by Mr. Stone,  
The county of Fayette was added.

The bill as amended was ordered to be engrossed.

No. 184. A bill to amend the charter of the city of Evansville ;  
Was read a second time and ordered to be engrossed.

No. 185. A bill to change the time of holding the April terms of the Commissioners' Court of Jefferson county ;

Was read a second time and ordered to be engrossed.

No. 186. A bill to change the name of Emanuel Pidcock ;  
Was read a second time.

On motion by Mr. Ross,  
The rule was suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 187. A bill to amend the 14th section of the Revised Road law of 1849 ;

Was read a second time and ordered to be engrossed.

No. 188. A bill in relation to the change of names ;  
Was read a second time and ordered to be engrossed.

No. 189. A bill in relation to voters at elections ;



Was read a second time.

On motion by Mr. Holcomb,

The bill was laid on the table.

No. 190. A bill for the relief of Catharine Schnell and Dorothy Debler (wife of Louis Debler) of Vanderburg county ;

Was read a second time.

On motion by Mr. Greathouse,

The rule was suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 191. A bill relating to the Sullivan county Library ;

Was read a second time and ordered to be engrossed.

No. 192. A bill to confirm the Angola Plank road Company ;

Was read a second time, and,

On motion by Mr. Mickle,

Referred to the committee on corporations.

No. 193. A bill to regulate the per diem allowance for work done on the public highways in Adams county ;

Was read a second time.

Mr. Brown of Shelby moved to amend the bill by adding the county of Shelby ;

Which motion prevailed.

Mr. Johnson moved to amend the bill by adding the county of Parke ;

Which motion prevailed.

The bill as amended, was ordered to be engrossed.

No. 194. A bill to authorize Joseph A. Williams and John Morgan to erect and maintain a mill dam across the Wabash river, at or near Blufftown in Wells county ;

Was read a second time, and ordered to be engrossed.

On motion by Mr. Mickle,

The rule was suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 195. A bill to amend the 56th chapter of the Revised Statutes of 1843 ;

Was read a second time.

Mr. Mickle moved to amend the bill by striking out "body" and inserting "person ;"

Which motion prevailed.

The question being on the engrossment of the bill,

Was decided in the negative.

No. 196. A bill making an appropriation to the Independent Relief Fire Engine and Hose Company No. 1 ;

Was read a second time.

Mr. Salter moved to lay the bill on the table ;

Which motion prevailed.

No. 197. A bill in relation to Agricultural societies ;

Was read a second time.

Mr. Niblack moved to amend the bill by adding at the proper place—

*Provided*, That neither slavery nor involuntary servitude shall ever be introduced into the Agricultural societies for whose benefit this act is intended, except for the punishment of crime, whereof the party may have been duly convicted.

Mr. Cravens moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Orr and O'Haver :

*Those who voted in the affirmative are,*

Messrs. Allen, Alley, Beard, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Carnahan of Fountain, Carnahan of Posey, Cole, Conaway, Connor, Cotton, Cravens, Defrees, Delavan, Dodd, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Goodwin, Graves, Greathouse, Harney, Hart, Harvey, Hicks, Hill, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Landiss, Lane, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Morrison, Murray, O'Haver, Orr, Prather, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Salter, Shelby, Shepard, Spencer, Stewart, Stone, Stoops, Summers, Thom, Thomas, Warriener, Watkins, Weaver, Wells, Weir, Withers, Whinery, Wright, Yocum, and Mr. Speaker—72.

*Those who voted in the negative are,*

Messrs. Athon, Barker, Bird, Niblack, O'Neal, Sherrod, and Tinbrook—7.

So the amendment was laid on the table.

Mr. Robinson of Decatur moved to lay the bill on the table.

The ayes and noes being demanded by Messrs. Morrison and Murray :

*Those who voted in the affirmative are,*

Messrs. Alley, Cravens, Dodd, Dougherty of Boone, Elder, Ellis, Graves, Hicks, Humphreys, Landiss, Richardson, Robinson of Decatur, Salter, Stoops, and Thomas—15.

*Those who voted in the negative are,*

Messrs. Allen, Athon, Barker, Beard, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Carnahan of Fountain, Carnahan of Posey, Cole, Conaway, Connor, Cotton, Defrees, Delavan, Dougherty of Elkhart, Edwards, Essex, Farnesly, Gentry, Gessie, Goodwin, Harney, Hart, Harvey, Hill, Hillis, Hol-

comb, Huey, Hunter, Johnson, Keeney, Knowlton, Lane, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Morrison, Murray, Niblack, O'Haver, O'Neal, Orr, Patterson, Prather, Reed, Robinson of Laporte, Ross, Rush, Russell, Shelby, Shepard, Sherrod, Spencer, Stewart, Stone, Summers, Thom, Tinbrook, Warriner, Watkins, Weaver, Wells, Weir, Withers, Whinery, Wright, Yocum, and Mr. Speaker—78.

So the bill was not laid on the table.

Mr. Spencer moved to recommit the bill to the committee on public expenditures ;

Which motion did not prevail.

Mr. Dougherty of Elkhart moved to amend the bill by striking out the words "one hundred dollars," and insert "fifty dollars," to be drawn from the State Treasury.

Mr. Cravens moved to amend the amendment to the said bill by requiring the one hundred dollars to be paid out of the county treasury of such counties as establish such society.

Mr. Edwards moved to refer the bill to the committee on ways and means ;

Which motion did not prevail.

Mr. Orr moved to lay the amendment and the amendment to the amendment on the table ;

Which motion prevailed.

Mr. Salter moved to indefinitely postpone the bill.

Mr. Murray moved that the House adjourn ;

Which motion did not prevail.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill of the House without amendment :

No. 247. A bill to legalize the acts of the several clerks of the Martin circuit, heretofore done in relation to the duties of the office of county auditor of the county of Martin, and for other purposes therein named.

On motion by Mr. Niblack,  
The House adjourned.

FRIDAY MORNING, 9 o'clock, DECEMBER 28, 1849.

The House met.

The journal of the preceding day was read.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled :

No. 142. An act granting the right of way through the county of Vermillion to the Danville and Georgetown Plank Road Company ;

Whereupon, the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

The Speaker laid before the House the following communication of John W. King, relative to amending the Constitution of the United States :

ROSEDOWN, WEST FELICIANA, LA., }  
November 24, 1848. }

*To the Hon. Speaker of the Senate, and*

*House of Representatives of the State of Indiana :*

The following memorial is most respectfully forwarded, with the request that he will be so good as to bring it to the notice of the House over which he presides, in such manner as shall be most agreeable to him, and much oblige,

Yours, very respectfully,

JOHN W. KING.

On motion by Mr. Hill,

The communication and memorial were referred to a select committee to consist of one member from each judicial circuit.

The Speaker appointed the following members said committee:

6th Circuit—Mr. Hill ;

2d Circuit—Mr. Cravens ;  
 3d Circuit—Mr. Wright ;  
 4th Circuit—Mr. Carnahan of Posey ;  
 5th Circuit—Mr. Dougherty of Boone ;  
 1st Circuit—Mr. Harney ;  
 7th Circuit—Mr. Lane ;  
 8th Circuit—Mr. Cole ;  
 9th Circuit—Mr. Millikin ;  
 10th Circuit—Mr. Niblack ;  
 11th Circuit—Mr. Lank ;  
 12th Circuit—Mr. Bird ;  
 13th Circuit—Mr. Conaway.

PETITIONS, &C., PRESENTED.

By Mr. Dougherty of Boone,  
 Three temperance memorials of citizens of Boone county ;  
 Which,

On motion,  
 Were referred to the select committee on the same subject.  
 By Mr. Miller of M. and F.,  
 The temperance memorial of citizens of Fulton county ;  
 Which,

On motion,  
 Was referred to the select committee on the same subject.  
 By Mr. Hill,  
 The temperance memorial of citizens of Carthage, Rush county ;  
 Which,

On motion,  
 Was referred to the select committee on the same subject.  
 By Mr. Butler,  
 The temperance memorial of citizens of Wayne county ;  
 Which,

On motion,  
 Was referred to the select committee on the same subject.  
 By Mr. Wright,  
 Temperance memorials of citizens of Mt. Sterling, and Allens-  
 ville, in Switzerland county ;  
 Which,

On motion,  
 Were referred to the select committee on the same subject.  
 By Mr. Warriner,  
 The temperance memorial of ladies and gentlemen of Porter  
 county ;  
 Which,

On motion,  
 Was referred to the select committee on the same subject.  
 By Mr. Stoops,  
 The temperance memorial of citizens of Hamilton county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Beard,

The temperance memorial of citizens of Wayne county;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Shepard,

The temperance memorial of citizens of Knox county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Miller of Owen,

Two temperance memorials of citizens of Owen county ;

Which,

On motion,

Were referred to the select committee on the same subject.

By Mr. Ross,

The temperance memorial of citizens of Fairfield, Franklin county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Conaway,

The temperance memorial of sundry citizens of Dearborn county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. O'Neal,

The temperance memorial of citizens of Lauramie, Tippecanoe county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Robinson of Decatur,

The temperance memorial of Fugit township, Decatur county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Dodd,

The temperance memorial of citizens of Grant county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Athon,

The petition of ladies of New Washington, Clark county, on the subject of temperance ;

Which,



- On motion,  
 Was referred to the select committee on the same subject.  
 By Mr. Weaver,  
 The petition of sundry citizens of Carroll county, praying for the removal of the county seat of said county ;  
 Also,  
 A remonstrance against the removal ;  
 Which,  
 On motion by Mr. Dougherty of Elkhart,  
 Was referred to a select committee, of five.  
 The Speaker appointed Messrs. Dougherty of Elkhart, Weaver, Prather, Robinson of Laporte, and Richardson, said committee.  
 By the Speaker,  
 Several temperance memorials of citizens of Indiana ;  
 Which,  
 On motion,  
 Were referred to the select committee on the same subject.  
 By Mr. Brown of Shelby,  
 The petition of citizens of Shelby county, relative to declaring Conn's creek a public highway ;  
 Which,  
 On motion,  
 Was referred to a select committee, consisting of Messrs. Brown of Shelby, Patterson, and Harney.  
 By Mr. Stone,  
 The temperance memorial of citizens of Fayetteville, Fayette county ;  
 Which,  
 On motion,  
 Was referred to the select committee on the same subject.  
 By Mr. Cole,  
 The temperance memorial of 250 citizens of Wabash county ;  
 Which,  
 On motion,  
 Was referred to the select committee on the same subject.  
 By Mr. Weaver,  
 The petition of Edward Quinn, of Carroll county ;  
 Which,  
 On motion by Mr. Prather,  
 Was laid on the table.  
 By Mr. Mickle,  
 The petition of sundry county officers of Adams county ;  
 Which,  
 On motion,  
 Was referred to the committee on the judiciary.  
 By Mr. Burnett,  
 Two petitions relative to the obstruction of Otter creek, in the county of Vigo ;  
 Which,

On motion,  
 Was referred to a select committee consisting of  
 Messrs. Burnett, Yocum, Edwards, O'Haver, and Gessie.  
 By Mr. Edwards,  
 The remonstrance of John Payne, against said petition ;  
 Which,

On motion,  
 Was referred to the same select committee.  
 By Mr. Russell,  
 The temperance memorial of citizens of Hendricks county ;  
 Which,

On motion,  
 Was referred to the select committee on the same subject.  
 By Mr. Brown of Randolph,  
 The petition of citizens of Randolph county, relative to the compensation of the probate judge of said county ;  
 Which,

On motion,  
 Was referred to a select committee consisting of  
 Messrs. Brown of Randolph, Lank, and Knowlton.  
 By Mr. Johnson,  
 The petition of citizens of Parke county, praying for the establishment of a State Orphan Asylum ;  
 Which,

On motion,  
 Was referred to the select committee appointed on that subject,  
 consisting of  
 Messrs. Robson, Withers, Willis, Robinson of Decatur, Leviston,  
 Niblack, Lane, Campbell, Millikin, and Dodd.

By Mr. Allen,  
 The petition of Isom Wright, of Putnam county ;  
 Which,

On motion,  
 Was referred to the committee on claims.  
 By Mr. Shelby,  
 The petition of citizens of Tippecanoe county, relative to compensation for the detection of two counterfeits of land warrants ;  
 Which,

On motion,  
 Was referred to a select committee, consisting of  
 Messrs. Shelby, O'Neal, and Patterson.  
 By Mr. Huey,  
 The petition of citizens of Jay county, relative to the equalization of the fees and salaries of officers ;  
 Which,

On motion,  
 Was referred to a select committee consisting of  
 Messrs. Huey, Mickle, and Bird.

By Mr. Athon,

The temperance memorial of citizens of Clark county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Hunter,

The petition of citizens of Indianapolis, relative to opening streets and alleys in said town ;

Which,

On motion,

Was referred to the committee on the affairs of the town of Indianapolis.

By Mr. Whinery,

The temperance memorial of citizens of Mishawaka ;

Which,

On motion,

Was referred to the select committee on the same subject.

On motion by Mr. Wilson,

The order of business was suspended.

Mr. Wilson offered the following resolution :

*Resolved*, That the use of this House be tendered to H. Diavalo Antonio and his celebrated family to-morrow evening at 6 o'clock.

Which resolution was not adopted.

#### REPORTS FROM COMMITTEES.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred a petition of sundry citizens of Adams county, on the subject of a revision of township laws, have considered the same, and instructed me to report that it would be inexpedient at this time to legislate on the subject, and to recommend that the petition be laid on the table.

Which report was concurred in.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill, No. 152, entitled " A bill in relation to probate records," have had the same under consideration, and directed me to report it back as inexpedient to legislate upon, and recommend that it be laid on the table.

Which report was concurred in.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of John E. Hill, praying a vacation of the town of Augusta, in the county of Noble, in the State of Indiana, have had the same under consideration, and have instructed me to report the same back with the accompanying bill, and recommend its passage.

No. 294. A bill to vacate the town of Augusta, in the county of Noble.

Which was read a first time and passed to a second reading.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill, No. 7, "A bill exempting homesteads from execution," have had the same under consideration, and directed to report, that notwithstanding the conviction of the entire committee, that the feeling of a large majority of the people of the State is favorable to the objects contemplated by said bill, in which feeling every member of the committee participates, yet the committee cannot recommend the passage of the aforesaid bill, in view of the fact that in many instances property of great value would be exempted; nor have the committee been so fortunate as to mature an amended bill which, in their opinion, would meet the expectations of the people, or secure to them equal rights and even-handed justice. I am, therefore, directed to report said bill back to the House, and ask that the committee be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Brown of Randolph, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House, No. 7, "exempting homesteads from execution and sale," having failed to report favorably to the same, the undersigned, one of said committee, asks leave to make the following as a minority report :

The undersigned is aware of the great importance of the subject referred to him and the other members of the committee for their

deliberation—that it is one of more than ordinary interest, and when compared with the common questions of property which usually engage the attention of this Legislative Assembly, it towers far above them, affecting for good or ill the great masses of our wide-spread population. In advocating the passage of a law exempting homesteads, the undersigned is aware that he is occupying grounds hitherto new and untrodden; but he is also aware of the fact that no great improvement in the condition of society has ever been attained without a struggle, and that many of the privileges and immunities which we now claim as ours by birthright, were the results of the toils and labor of years. He would not seek the enactment of any law which would in any degree lessen the obligation of contracts entered into, or impair the confidence reposed in each other by the different members of community, and on which the whole structure of civilized society rests, yet he believes that a law similar to the one under consideration, while it could do no injustice to any one, would confer a positive good on a large and meritorious class of our fellow citizens. He would suggest that the present is the most favorable time for the introduction of this measure of reform. Land monopoly, which has proved the withering blight of the old world, is already beginning to develope its effects in some of the States of our Union, and ere it fixes its poisonous grasp upon us, some plan should be devised to prevent those vast accumulations of wealth which are alike destructive to republicanism and happiness. The object of law and government is to protect the weak against the strong—to prevent those who, from wealth or any other cause, possess the power and the disposition to infringe on the rights of others. From the tendency of wealth to protect itself, and its constant efforts to direct the operations of government so as to suit its own purposes, the attention of the Legislature should be chiefly turned to the poor and laboring multitudes—to such as toil at the plow and in the workshops, and who have neither the time nor the means for devising schemes of protection for themselves.

Were the losses and suffering which now attend the violation of pecuniary obligations confined to those immediately concerned in the transaction, the evils complained of would not call so loudly for a remedy, but they now most oppressively on the innocent and unoffending—on the wife and family of the debtor. Thus not unfrequently are entire families, by the imprudence of one of the members, involved in suffering and ruin, from which the industry and exertions of their after lives cannot restore them. Nor is this the only or worst evils. The family thus involved is in many instances forced to separate, and the children driven to seek a livelihood among strangers. The object of family government is thus defeated. That sacred institution which is the ground-work and basis of all civil government, and which was evidently designed to be the nursery for the moral and intellectual training of the youth of our country, fails in accomplishing its primary object. Every act of legislation therefore is politic and wise which throws its protecting shield



around the family circle, which places within its reach the means of a competent subsistence, and aids the parents in imparting that training and instruction to their children that cannot be done by others. The undersigned thinks that this desirable object can be best obtained by securing to the head of every family a homestead from which misfortune cannot drive him; here his family may find a safe retreat; here they may be kept from the contaminating influence of the vice and dissipation to which too early contact with the world exposes them.

It is believed that by the enactment of a judicious system of homestead exemption, much can be done to stimulate and encourage the industry of those under pecuniary embarrassment. Under the enactments that now stand on our statute, the debtor, made so perhaps as much by misfortune as fault, feels but little inducement to repair his broken fortune or credit. He knows that the strong arm of the law is over him, ready to appropriate the first proceeds of his labors, and leave destitute a family whom duty and law oblige him to maintain. The consequence is in many cases he becomes discouraged and disgusted, he loses that dignity and feeling of personal independence, which it should ever be the object of the law to maintain, and abandons the hope, and almost the desire, of again raising himself or family to competence and respectability. Under the operations of the proposed law, it is believed that such hardships would but rarely occur. It would not be in the power of the creditor to strip his debtor of the last means of support. His home would be secure to him, and the labor which has been spent in decorating it with the ornaments that give charms to domestic life would not be lost. His self-respect would be retained, and in the end he would be more likely to discharge his liabilities than under the present law. In another respect the undersigned believes the proposed law would have a beneficial effect in the inducement it would hold out to our citizens to become the owners of moderate quantities of real estate. Every means of producing this result should receive the support of the Statesman and the Legislator, inasmuch as it identifies the security and happiness of the citizen with the stability and welfare of his government. Encouragement would be given to agricultural pursuits, and an independent yeomanry established, who, either amid the smiles of peace, or the frowns of war, form the glory and defence of our country.

Such a law would also tend in some measure to check the fictitious and unwarrantable system of credit which at present works so injuriously alike to those giving and receiving it. Unlimited credit is the poor man's worst enemy—it steals not only his earnings but his judgment from him. In times of apparent prosperity he is, by its allurements, induced to incur liabilities wholly beyond his power to discharge, and the consequence is that when a reverse comes he is stripped of his property for the payment of debts, which, under a cash system, he never would have contracted.

The above are some of the considerations which have induced the



undersigned to favor the passage of a homestead bill. He feels that the subject is one of great importance, affecting the well being of the present and future citizens of Indiana.

Public sentiment is becoming aroused all over our country, and is engaged in devising schemes for improving the condition of society. Already several of the States, both east and west of us, have adopted the provisions of the homestead. Indiana, already has attained a high position among her sister States, by her noble efforts for the relief of the afflicted and unfortunate. Let her not be behind in this great measure of legislative reform. Now is the time to act, so as to prevent the introduction into our community of that system that has blighted the prosperity of the old world, and reduced the mass of her laboring population to actual want and suffering. Now while pauperism, with its consequent crimes and horrors is nearly unknown, let us hasten by wise legislation to encourage such a distribution of property, and equal ownership of our soil, as will shut out those inequalities of property and rank which have crushed the energies of Europe, and which her hardy sons are now wiping out in bloody revolutions.

The undersigned in summing up some of the reasons which induce him to favor the adoption of this bill, would present the following:

That it will tend to build up an independent and industrious class of agriculturalists.

That it will encourage additional numbers of our citizens to become the owners of land in small quantities.

That it will, to a great extent, prevent the distress now entailed on families by the default of a single member.

That it will enable parents to prevent their families from being broken up until after the period allotted to education has expired.

That it will tend to place proper restrictions upon an undue system of credit.

All of which is respectfully submitted,

JAMES BROWN.

Mr. Carnahan of Fountain, from the committee on the judiciary made the following report:

MR. SPEAKER:

The judiciary committee, to whom was referred House bill No. 155, entitled "an act to amend an act providing for the selection of grand and petit jurors," have had the same under consideration, and have instructed me to report the same back with one amendment, which being concurred in, would respectfully recommend its passage:

Amend by adding—

Section 3. This act shall not take effect in such counties as have special laws regulating the same;

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

Mr. Athon, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The standing committee on claims to whom was referred the petition of William Smith, have had the same under consideration, and have directed me to report that the petitioner exhibits no evidence of having rendered services as claimed in his petition, and therefore we ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Athon, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The standing committee on claims to whom was referred the petition of sundry citizens of the City of New York, claiming to be holders of the bonds of the State of Indiana, have had the same under consideration, and have instructed me to make the following report :

Whereas the several acts relative to the indebtedness of the State, approved January 19th, 1846, and January the 25th, 1847, were based upon principles of equity and compromise and afford ample provision for a just and honorable adjudication of claims against the State, both creditable to her, and just to her creditors, and does not have an immediate or mediate tendency to avoid the payment of veritable claims against said State ; therefore they deem it inexpedient to legislate upon the subject, and ask to be discharged from the further consideration of the same.

Which report was concurred in.

Mr. Hart, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred House bill, No. 160, entitled an act to amend an act, entitled an act to revise and consolidate the several acts of the General Assembly, in relation to laying out, opening, repairing, changing, and vacating public highways, and to the erection and repair of bridges, and to amend the same, approved January 16, 1849, have had the same under consideration and said committee have directed me to report said bill back to the House, without amendment, and respectfully recommend its passage.

The question being, shall the bill engrossed ?

Was decided in the negative.

Mr. Farnsley, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred House bill, No. 258, a bill to incorporate the Western Plank Road Company, have had the same under consideration and have directed me to report the same back, without amendment, and recommend its passage.

Which bill was ordered to be engrossed.

On motion by Mr. Yocum,

The rules were suspended, and the bill read a third time.

Mr. Mickle offered the following amendment :

Amend section 12, by adding "or creditors," in the proper place.

Amend by adding the following section :

"Sec. —. The Legislature reserves the right to alter, amend, or repeal this act any time that they think the public good requires it."

Which, by unanimous consent of the House, were adopted.

Mr. Edwards moved to add the following, after said section :

"Upon giving thirty days to the President, or a Director of said company, previous to the application to alter, amend, or repeal this charter, together with a succinct statement of the cause or causes therefor."

Which amendment, by unanimous consent of the House, was adopted.

The question being on the passage of the bill, was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Patterson moved to take from the table, House bill, No. 73, entitled a bill to amend an act, entitled an act to incorporate the Lafayette Insurance Company, approved February 8, 1836.

Which motion did not prevail.

Mr. Prather, from a select committee, made the following report

MR. SPEAKER :

The select committee, to which was referred the petition of the board of county commissioners of Carroll county, praying the sale of certain lots therein named, have had the same under consideration and have requested me to report the following bill and recommend its passage :

No. 295. A bill to authorize the sale of certain lots therein named ;

Which was read a first time and passed to a second reading.

Mr. Brown of R., moved to suspend the order of business and take up House bill No. 7 ;

Which motion did not prevail.

Mr. Caldwell, from a select committee, to whom was referred the petition of the Mayor and Common Councilmen of the city of Jeffersonville, have had the same under consideration and have directed me to report the following bill and recommend its passage :

No. 296. A bill for the distribution of the local laws, statutes, public documents, and reports to the city of Jeffersonville ;

Which was read a first time and passed to a second reading.

Mr. Thomas, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred Senate bill, No. 56, to increase the salaries of probate judges of Posey county, and a petition from sundry citizens of said county, upon the same subject, have had the same under consideration and have instructed me to report the bill back to the House, with one amendment, after the adoption of which, they would respectfully recommend its passage, and ask to be discharged from the further consideration of the subject :

Amend said bill by providing that said increased per diem allowance shall be made at the discretion of the board doing county business.

Which motion did not prevail.

The question being on concurring in the report of the committee, Was decided in the affirmative.

The bill as amended was then ordered to a third reading.

Mr. Orr, from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of the office holders of Delaware county, upon a certain subject therein named, have had the same under consideration and have directed me to report the accompanying bill and recommend its passage :

No. 297. A bill to legalize certain acts therein named.

Mr. Prather, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred the petition of sundry citizens of Carroll county, praying the Legislature to grant relief to the clerks of said county, have had the same under consideration and have directed me to report the following bill and recommend its passage :

No. 298. A bill to increase the pay of the clerk of the Carroll county ;

Which was read a first time and passed to a second reading.

Mr. Withers, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of William Hawthorn and 113 other citizens of the county of Pike, praying for a road tax to be levied in said county, have had the same under consideration, and have instructed me to report the following bill and recommend its passage :

No. 299. A bill authorizing the county commissioners of the county of Pike to levy a road tax, so far as relates to the county of Pike.

Was read a first time and passed to a second reading.

On motion by Mr. Edwards,

The order of business was suspended.

Mr. Edwards, from the joint standing committee on the State Library, made the following report :

MR. SPEAKER :

The joint standing committee on the State Library, to whom was referred the papers laid before this House by his Excellency, the Governor, from the Surveyor General of the public lands within this State, relative to the field notes, maps, records, and other papers appertaining to land titles, within the State of Indiana, have had the same under consideration, and directed me to report back the following bill and recommend its passage :

No. 300. A bill relative to the field notes, maps, records, and other papers appertaining to land titles within the State of Indiana.

Was read a first time, and passed to a second reading.

On motion,

The rules were suspended, the bill read a second time, and ordered to be engrossed.

On motion by Mr. Holcomb,

The order of business was suspended, and Senate bill

No. 40. A bill to incorporate the trustees of the Princeton Female College,

Was taken up, read a second time, and referred to the committee on corporations.

On motion by Mr. Sherrod,

The House adjourned to meet at 2 o'clock, P. M.

*Two o'clock, P. M.*

The House met.

#### ORDERS OF THE DAY.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill and joint resolution thereof :

No. 193. A joint resolution awarding the thanks of the General Assembly of the State of Indiana to Mrs. Monimia Boyd, for the valuable present of a painting called the "Hoosier's Nest;"

No. 194. An act to authorize the Jeffersonville Railroad Company to issue and secure the payment of bonds ;

In which the concurrence of the House of Representatives is respectfully requested.

The joint resolution and bill contained in the foregoing message were each read a first, second, and third times, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

#### *Senate Bills on third reading.*

No. 14. A bill to amend an act to incorporate Anderson's Collegiate Institute ;

No. 19. A bill to amend an act entitled an act to authorize a company to construct a turnpike road from the point where the present State road leading from Oxford to Connersville crosses the State line of Ohio and Indiana, to Connersville ;

No. 21. A bill to amend an act entitled an act defining the duties of treasurer, auditor, and supervisors of highways in the county of Dearborn, approved January 26, 1847 ;



No. 22. A bill to amend the charter of the Rushville and Shelbyville Railroad Company ;

Were severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 28. A bill to regulate and change the mode of selecting petit jurors in Laporte county ;

No. 32. A bill to extend the time of holding commissioners' court in Marion county ;

No. 33. A bill to amend the 18th section of article 3d, chapter 5, of the Revised Statutes of 1843 ;

Were severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 43. A bill amendatory of the act relative to the practice of law ;

Was read a third time.

The question being on the passage of the bill,

Was decided in the negative.

No. 54. A bill extending the time of holding the sessions of the board of county commissioners in the county of Fountain ;

No. 61. A bill for the relief of the heirs of William Shultz, deceased ;

No. 53. A bill to amend section 82, chapter 6, of the Revised Statutes of 1843, extending the use of the State Library to professors and teachers ;

No. 62. A bill to amend an act entitled an act to increase and extend the benefits of common schools, approved January 17th, 1849 ;

No. 64. A bill to extend the time of holding the sessions of the board of county commissioners of Montgomery county ;

No. 66. A bill to amend an act entitled an act to incorporate the Moscow and Blooming Grove Turnpike Company, approved January 15th, 1849 ;

No. 68. A bill to amend an act entitled an act to change the mode of selecting grand jurors in the county of Orange ;

No. 69. A bill to enable the trustees of the Harrison county seminary to convey certain lots therein named ;

No. 72. A bill for the relief of Herman Henry Kluter and Frederick William Kluter, of the county of Ripley, Indiana ;

Which were severally read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 73. A bill for the relief of Sibil R. Dekernan ;

Was read a third time.

Mr. Lane moved to indefinitely postpone said bill.

Which motion prevailed.

No. 74. A joint resolution relative to a settlement of the accounts subsisting between the state and the General Government relative to the three per cent. fund ;

No. 83. A bill to consolidate and publish in one act the several acts and parts of acts that now incorporate the Madison and Napoleon turnpike company ;

No. 90. A bill to compel speculators to pay a road tax equal to that paid by actual settlers, in Noble county ;

No. 168. A bill to vacate a part of the Fort Wayne and Lima state road, and for other purposes ;

Were severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof

On motion by Mr. Russell,

The order of business was suspended.

Mr. Russell introduced

No. 301. A bill to incorporate the Danville, North Salem, and Crawfordsville plank road company ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee on corporations.

On motion by Mr. Keeney,

The order of business was suspended.

Mr. Keeney introduced

No. 302. A bill to incorporate the Lagrange male and female seminary ;

Which was read a first time and passed to a second reading.

On motion by Mr. Harney,

The order of business was suspended.

Mr. Harney introduced

No. 303. A bill for the relief of Montgomery county ;

Which was read a first, second, and third times, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Cotton,

The order of business was suspended.

Mr. Cotton offered the following resolution :

*Resolved*, That the Door Keeper is hereby instructed to admit no one to the exhibition of this evening in this Hall, except the members of this General Assembly, or a person or persons invited by a member.

Mr. Lane moved to amend the resolution by inserting in the proper place the words "and officers."

Which was adopted.

The question then being on the adoption of the resolution,

Was decided in the affirmative.

On motion by Mr. Edwards,

The House adjourned.

SATURDAY MORNING, 9 o'CLOCK, DECEMBER 29, 1849.

The House met.

The journal of the preceding day was read.

On motion by Mr. Withers,

Leave of absence was granted to Mr. Holcomb, in consequence of sickness.

PETITIONS, &C., PRESENTED.

By Mr. Cravens,

The temperance memorial of citizens of Washington county;  
Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Farnsley,

The temperance memorial of citizens of Floyd county ;

Was referred to the select committee on the same subject.

By Mr. Brown of Shelby,

The temperance memorial of citizens of Shelbyville ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. May,

The temperance memorial of citizens of Steuben county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Dodd,

The petition of sundry ladies and gentlemen of this State, praying for the enactment of a law prohibiting, under severe penalty, any citizen of the State, or any state or county officer, aiding in any manner whatever, the re-capture of a fugitive from slavery, and to repeal the laws now in force on the subject of the apprehension and re-capture of slaves ;

Which,

On motion by Mr. Brown of Shelby,

Was laid on the table.

By Mr. Dodd,

The petition of numerous citizens of Grant county, praying for the repeal of the laws requiring colored persons to give bond and security that they will not become a county charge—the law de-

priving them of giving testimony in courts of justice against white persons, and other laws of a similar nature ;

Which,

On motion by Mr. Shepard,

Was laid on the table.

By Mr. Hicks,

The petition of sundry citizens of Blue River township in Johnson county, on the subject of temperance ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Hicks, Wells, and Stewart.

By Mr. Dodd,

The petition of sundry citizens of Grant county, to authorize the county auditor of said county to loan money to the trustees of the Grant county Seminary ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Dodd, Carnahan of Posey, and Lank.

By Mr. Summers,

The petition of citizens of Henry county, praying for the establishment of a State Orphan Asylum ;

Which,

On motion,

Was referred to the select committee on that subject, consisting of Mr. Robson, and others.

On motion,

Mr. Wilson was excused from serving on the select committee on the subject of temperance.

By Mr. Allen,

The petition of citizens of Greencastle, praying to strike off a portion of said town from the corporation ;

Also, a remonstrance against the said petition, and the object prayed for ;

Which,

On motion,

Was referred to the committee on corporations.

#### REPORTS FROM COMMITTEES.

Mr. Mickle, chairman of the committee on ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means to whom was referred bill of the House No. 289, entitled an act for the more speedy completion of Indiana Hospital for the Insane, have, according to order, had

that subject under consideration, and directed me to report the same back without amendment, and respectfully ask its passage, and beg to be discharged from the further consideration of the subject.

Which bill was ordered to be engrossed.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House No. 151, "a bill regulating clerk's fees in the probate courts in the State of Indiana," have had said bill under consideration, and directed me to report the same back to the House, and recommend that it be indefinitely postponed.

Which report was concurred in.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred a resolution requiring said committee to inquire into the expediency of so amending the 73d section, of article 4, of chapter 7, of the Revised Statutes of 1843, as to make it the duty of the county treasurers to give bond on or before the first Monday in March next succeeding their elections, and extending the term of office of said treasurers whose terms expire on the 12th of August next, to the first Monday of March, 1851, beg leave to report that in the opinion of said committee it is inexpedient to legislate upon the matter, and ask to be discharged from a further consideration of the subject.

Which report was concurred in.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill No. 235, have had the same under consideration, and have instructed me to report the same back with the following amendment, and as amended, recommend its passage, viz :

Strike out all after the enacting clause and insert the following, to-wit—

That any person who shall wilfully and maliciously attempt to burn or set fire to any of the buildings, structures, or property enumerated and specified in the 25th section, of said chapter 53, of the Revised Statutes of 1843, shall be deemed guilty of arson.

Sec. 2. Every person who shall aid and abet in the commission of any crime or offence specified in this act, or in the said 53d chapter of the Revised Statutes of 1843, or shall counsel, encourage, hire, command, or otherwise procure such offence to be committed, and which shall be committed in some county or counties other than that in which such person shall be when he or she shall aid, abet, counsel, encourage, hire, command, or otherwise procure such offence to be committed, every such person shall suffer the same penalties and punishment which are by law prescribed for the punishment of the principal offender, and the circuit court of the county where the principal offence shall be committed, shall have full and complete jurisdiction to indict, try, convict, and punish such person so aiding, abetting, counselling, encouraging, hiring, commanding, or otherwise procuring such principal offence to be committed.

Which amendment was not concurred in.

The question then being on the engrossment of the bill,

Was decided in the negative.

Mr. Weir moved to reconsider the vote on the engrossment of the bill ;

Which motion prevailed.

On motion by Mr. Spencer,

The bill was re-committed to a select committee.

The Speaker appointed Messrs. Spencer, Carnahan of Fountain, and Patterson said committee.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of the board of commissioners and sundry citizens of Adams county, relative to delinquent taxes in said county for the year 1847, have considered the same, and directed me to report to the House the following bill and recommend its passage :

No. 304. A bill to provide for carrying the unpaid taxes of 1847 and the delinquent taxes of previous years on the tax list of 1850, in the county of Adams ;

Which was read three several times, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 154, entitled "an act to amend an act authorizing the construction



of plank roads," approved January 15, 1849, have had the same under consideration, and have instructed me to report the same back, with one amendment, which being concurred in, would respectfully recommend its passage :

Strike out the first section, all after the enacting clause, and insert as follows—

That the first and fourteenth (1 and 14) sections of said act be, and the same are hereby amended by striking out the word "Recorder" where the same occurs in each section, and inserting in the place thereof the word "Auditor."

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

Mr. Yocum, from the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to whom was referred a petition from sundry citizens of Clay county, on the subject of electing supervisors on roads, have had the same under consideration, and directed me to report—inexpedient to legislate on ; and ask to lay it on the table, and to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill of the House No. 284, entitled "An act to incorporate the Rising Sun and Versailles Turnpike Company," have had the same under consideration, and have directed me to report the bill back to the House without amendment, and respectfully recommend its passage.

Which bill was ordered to be engrossed.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill of the House No. 192, entitled "An act to confirm the Angola Plank road Company," have had the same under consideration, and have directed me to report said bill back to the House without amendment, and respectfully recommend its passage.

Which bill was ordered to be engrossed.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill of the Senate No. 71, entitled "An act to amend an act entitled 'An act to incorporate the Knightstown and Shelbyville Railroad Company,' returned by the Governor to the Senate February 11th, 1848," have had the same under consideration, and have directed me to report said bill back to the House without amendment, and respectfully recommend its passage.

Mr. Hill moved to refer the bill to a select committee ;  
Which motion did not prevail.

On motion,

The rule was suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Withers, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred Senate bill No. 99, entitled "An act to amend the charter of the Indianapolis and Bellefontaine Railroad Company," have had the same under consideration, and a majority of said committee have instructed me to report the same back without amendment, and recommend its passage.

On motion by Mr. Hunter,

The following amendment to said bill which was pending when the same was referred, was adopted by the House :

Strike out the word "ten" in line 13 of the first section, and insert the word "five," and at the end of the first section add the words "and may be converted into the stock of the company at the will of the holders."

On motion by Mr. Hunter,

The rule was suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Farnesly, from the committee, on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred Senate bill No. 163, "An act to incorporate the Vevay, Mount Sterling, and Versailles Turnpike road Company," have had the same under consideration, and directed me to report the same without amendment, and recommend its passage.

Which bill was ordered to a third reading.

On motion by Mr. Spencer,

The rule was suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Brown of Randolph, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House No. 229, "A bill to incorporate the Indianapolis and Cincinnati Railroad Company," have had the same under consideration, and ask leave to report the same back, with the following amendments, for the action of the House :

Amend section 2d by adding at the proper place, the following :

*Provided*, That in any case where delinquent stock has been forfeited, the party may, at any time within one year after such forfeiture, redeem the same, by paying the amount in arrear, with interest, and ten per centum damages : *Provided further*, That in case any such delinquent stockholder shall die before the time for redeeming shall have expired, the executor or administrator shall have the further time of twelve months, from the death of such testator or intestate, to redeem the same.

Amend section 12—

By inserting after the word "Indianapolis," in the fifth line, the words "by the way of Rushville;" and add to said section the following : *Provided*, That said road east of Rushville shall not be located on a route south of a direct line by the compass, from Indianapolis to Cincinnati.

Amend so much of section 15 as requires all causes of action arising under said section to be prosecuted within two years after the accruing of such action, as follows :

*Provided*, If any person entitled to bring any action as in this section provided, shall at the time such action accrues, be within the age of twenty-one years, or insane, or a married woman, or imprisoned, such person may bring his action within one year after such disability shall be removed.

Mr. Wilson moved to refer the bill and pending amendments to a select committee of nine ;

Which motion prevailed.

The Speaker appointed Messrs. Wilson, Murray, Cravens, Spencer, Hicks, Athou, Shepard, Lane, and Edwards, said committee.

Mr. Elder, chairman of the committee on benevolent and scientific institutions, made the following report :

MR. SPEAKER :

The committee on benevolent and scientific institutions to whom was referred "a joint resolution providing for the purchase of land for the Deaf and Dumb Asylum," have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage.

No. 282. A joint resolution providing for the purchase of land for the Deaf and Dumb Asylum ;

Which bill was ordered to be engrossed.

Mr. Edwards moved to reconsider the vote on committing House bill No. 229, and the amendments, to a select committee of five ;

Mr. Wilson moved that the House adjourn.

Which motion did not prevail.

Mr. Wilson moved that the House adjourn.

Which motion did not prevail.

The question then being,

On reconsidering the vote ;

Was decided in the negative.

On motion by Mr. Edwards,

The order of business was suspended.

Mr. Edwards offered the following resolution :

*Resolved*, That the select committee to whom was recommitted House bill No. 229, are hereby instructed to report the same back to this House on Monday morning next.

Mr. Brown of Shelby moved to instruct the committee to amend by adding as a point immediately before Rushville, the word "Shelbyville ;"

Which was not adopted.

Mr. Knowlton moved to strike out "Monday," and insert "at the earliest practicable period ;"

Which motion prevailed.

The resolution as amended was adopted.

On motion by Mr. Cravens,

The House adjourned to meet at 2 o'clock, P. M.

*Two o'clock, P. M.*

The House met.

On motion by Mr. Caldwell,  
The order of business was suspended.

Mr. Caldwell, chairman of the committee on the affairs of the State Prison, made the following report :

MR. SPEAKER :

The standing committee on the State Prison to whom was referred the report of the Warden of said Prison, have had the same under consideration, and have directed me to report the following bill, and respectfully recommend its passage.

No. 305. A bill for an appropriation for a State fire engine for the use of the State Prison ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

On motion by Mr. Spencer,  
The order of business was suspended.

Mr. Spencer introduced

No. 306. A bill to straighten the line between Ohio and Dearborn counties ;

Which was read a first and second times, the rules being suspended therefor.

On motion,  
The bill was referred to a select committee consisting of Messrs. Spencer, Conaway, Watkins, Wright, and Farnesly.

On motion by Mr. Summers,  
The order of business was suspended.

Mr. Summers presented a temperance memorial of sundry citizens of Henry county ;

Which,

On motion,  
Was referred to the select committee on the same subject.

Mr. Shelby moved to take from the table House bill No. 73 ;  
Which motion did not prevail.

Mr. Alley moved to suspend the order of business ;  
Which motion did not prevail.

#### ORDERS OF THE DAY.

When the House adjourned on yesterday, the following bill was under consideration :

No. 197. A bill in relation to agricultural societies.

The question being on the motion to indefinitely postpone the bill,

The ayes and noes being demanded by Messrs. Orr and Barker :

*Those who voted in the affirmative are,*

Messrs. Alley, Barker, Brown of Shelby, Butler, Byers, Cotton, Cravens, Dodd, Dougherty of Boone, Gessie, Graves, Hart, Harvey, Hicks, Huey, Humphreys, Johnson, Keeney, Knowlton, Landiss, Menough, Miller of M. and F., Miller of O., O'Neal, Patterson, Richardson, Ross, Salter, Shelby, Spencer, Stoops, Thomas, Watkins, Wright, and Yocum—34.

*Those who voted in the negative are,*

Messrs. Allen, Athon, Bird, Bowen, Brown of Randolph, Caldwell, Carnahan of Fountain, Carnahan of Posey, Cole, Connor, Defrees, Delavan, Dougherty of Elkhart, Edwards, Elder, Ellis, Farnesly, Gentry, Goodwin, Harney, Hill Hillis, Hunter, Leviston, May, Mickle, Millikin, Morrison, Murray, Niblack, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Stewart, Stone, Summers, Thom, Tinbrook, Warriner, Weaver, Wells, Wilson, Withers, Whinery, and Mr. Speaker—49.

So the bill was not indefinitely postponed.

Mr. Connor offered the following amendment :

Strike out so much as relates to the drawing money from the State Treasury, and insert that the Board of Commissioners of the county in which such society is formed, may appropriate \$50 to be paid out of the county treasury.

On motion by Mr. Prather,

The bill and pending amendment were referred to the committee on ways and means.

#### HOUSE BILLS ON THEIR SECOND READING.

No. 7. A bill exempting homesteads from execution ;

Was read a second time.

Mr. Brown of Randolph, moved to refer the bill to a select committee.

Mr. Prather moved to lay the bill on the table.

The ayes and noes being called for by Messrs. Stoops and Orr :

*Those who voted in the affirmative are,*

Messrs. Athon, Brown of Shelby, Butler, Byers, Conner, Cravens, Dodd, Essex, Harney, Lane, Leviston, Morrison, Niblack, Prather, Stewart, Summers, Thom, and Wells—19.



*Those who voted in the negative are,*

Messrs. Allen, Alley, Barker, Beard, Bird, Bowen, Brown of R., Burnet, Caldwell, Carnahan of Fountain, Carnahan of Posey, Cole, Cotton, Defrees, Delavan, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Ellis, Farnesly, Gentry, Gessie, Goodwin, Hart, Harvey, Hicks, Hill, Hillis, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Landiss, Lank, May, Menaugh, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikin, Murray, O'Haver, O'Neal, Orr, Patterson, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Salter, Shelby, Spencer, Stoops, Thomas, Tinbrook, Warriner, Watkins, Weaver, Weir, Withers, Whinery, Wright Yocum, and Mr. Speaker—70.

So the bill was not laid on the table.

Mr. Reed called for the previous question,

Which was not seconded by the House.

The question being on referring the bill to a select committee, Was decided in the affirmative.

Mr. Withers moved to instruct said committee to amend the bill, by striking out the words "four hundred," where it occurs, and inserting "five hundred ;"

Which motion did not prevail.

Mr. Ross moved that the select committee consist of one member from each judicial circuit ;

Which motion prevailed.

The Speaker appointed the following gentlemen said committee :

11th Circuit—Mr. Brown of R.,

2d Circuit—Menaugh,

3d Circuit—Hillis,

4th Circuit—Carnahan of P.,

5th Circuit—Brown of S.,

6th Circuit—Summers,

7th Circuit—Gessie,

8th Circuit—Salter,

9th Circuit—Graves,

10th Circuit—Miller of O.,

1st Circuit—Carnahan of F.,

12th Circuit—May,

13th Circuit—Knowlton.

No. 198. A bill to extend the time of holding county courts, in Perry county ;

Was read a second time and ordered to be engrossed.

On motion by Mr. Cravens,

The House took up the following message from the Senate :

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have reconsidered the vote on concurring in the engrossed amendment of the House to the engrossed bill of the Senate :

No. 77. An act to amend the charter of the Columbus, Nashville, and Bloomington Railroad company;

And have concurred in said engrossed amendments of the House to said bill, with two amendments.

In which amendments the concurrence of the Senate is respectfully requested.

On motion by Mr. Cravens,

The amendment of the Senate was concurred in.

No. 199. A bill for the benefit of Lewis Chappell;

Was read a second time and ordered to be engrossed.

On motion by Mr. Athon,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 200. A bill to authorize Isaac Wilson to construct a bridge or culvert over a state road in the county of Morgan, therein named;

Was read a second time and ordered to be engrossed.

No. 201. A bill to repeal the 4th and 5th sections of "an act to improve the roads in Centre township, in the county of Dearborn," approved January 18, 1847;

Was read a second time and ordered to be engrossed.

No. 202. A bill for the relief of Cain Dockery;

Was read a second time.

On motion by Mr. Wells,

Certain papers in relation to the subject of the bill were read.

On motion by Mr. Wells;

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 203. A joint resolution to refund interest;

Was read a second time, and,

On motion by Mr. Cole,

Referred to the committee on the judiciary.

No. 204. A joint resolution on the subject of slavery;

Was read a second time.

Mr. Shepard moved to lay the joint resolution on the table.

The ayes and nocs being demanded by Messrs. Carnahan of Posey and Goodwin,

*Those who voted in the affirmative were,*

Messrs. Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnett, Butler, Byers, Carnahan of Fountain, Cole, Cotton, Defrees, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Goodwin, Harney, Harvey, Hill, Hillis, Huey, Keeney, Knowlton, Lane, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikin, Morrison, Murray, O'Neal, Orr, Patterson, Prather, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Salter, Shelby, Shepard, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Warriner, Weaver, Wilson, Whinery, and Wright—57.

*Those who voted in the negative are,*

Messrs. Allen, Alley, Athon, Barker, Caldwell, Carnahan of Posey, Connor, Cravens, Ellis, Essex, Farnesly, Gentry, Graves, Great-house, Hart, Hicks, Humphreys, Hunter, Johnson, Landiss, Menaugh, Niblack, O'Haver, Reed, Richardson, Ross, Sherrod, Spencer, Thomas, Wells, Withers, Yocum and Mr. Speaker—32.

So the joint resolution was laid on the table.

On motion by Mr. Wright,

The House took from the table

No. 109. A joint resolution on internal improvements ;

And placed it upon the files of the House.

No. 206. A bill defining the duties of county treasurers in several counties therein named ;

Was read a second time.

On motion by Mr. Goodwin,

The county of Daviess was inserted in said bill.

On motion by Mr. Greathouse,

The county of Vanderburgh was inserted.

On motion by Mr. Miller of M. and F.,

The county of Marshall and Fulton was inserted.

On motion by Mr. Salter,

The rules were suspended, and the bill read a third time and passed.

*Ordered,* That the Clerk inform the Senate thereof.

On motion by Mr. Lane,

The order of business was suspended.

Mr. Lane introduced

No. 307. A bill incorporating the Indianapolis and Springfield plank road company ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to a select committee, consisting of Messrs. Lane, Gessie, Hunter, Robson, Russell, Tinbrook, Johnson, and Alley.

Mr. Miller of Marshall and Fulton moved to suspend the order of business.

Which motion did not prevail.

No. 207. A bill for the relief of Hannah S. Martin ;

Was read a second time.

On motion by Mr. Patterson,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 208. A bill to repeal an act therein named, concerning sheriffs, so far as the same relates to the county of Martin ;

Was read a second and third times, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 209. A bill relative to the Seminary of Sullivan county ;

No. 211. A bill relative to the Board of Commissioners of Franklin county ;

No. 212. A bill to provide for recording inventories and sale bills in decedents' estates ;

Were severally read a second time and ordered to be engrossed.

No. 213. A bill to legalize the acts of Commissioners appointed to locate a road in the counties of Fountain and Tippecanoe ;

Was read a second time.

Mr. Carnahan, of Fountain, moved to amend the bill by adding,

Sec. 2. This act shall be in force from and after its passage.

Which motion prevailed.

The bill as amended was ordered to be engrossed.

No. 214. A bill to repeal a certain act therein named ;

Was read a second time and ordered to be engrossed.

No. 216. A bill for the relief of America Butler, of the county of Martin ;

Was read a second time, and,

On motion by Mr. Lane,

The bill was indefinitely postponed.

No. 217. A bill to declare the meaning of certain sections of an act therein named ;

Was read a second time.

Mr. Robinson, of Decatur, offered the following amendment :

"Strike out so much as refers to the county of Franklin ;"

Which was not adopted.

On motion by Mr. Robinson of Decatur,

The bill was amended by adding the county of Decatur.

On motion by Mr. Salter,  
The bill was amended by adding the counties of White, Benton, Jasper, and Pulaski.

Mr. Ross moved to suspend the rules and read the bill a third time ;

Which motion did not prevail.

The bill as amended was then ordered to be engrossed'.

On motion by Mr. Greathouse,

The order of business was suspended.

Mr. Greathouse offered the following resolution :

*Resolved*, That the use of this Hall be tendered to the American Harmonists on Monday evening next, for the purpose of holding a Concert, the ladies to have tickets free ;

Which was not adopted.

No. 218. A bill to locate a State road between the counties of Vigo and Clay ;

Was read a second time and passed to a third reading.

On motion by Mr. Edwards,

The rules were suspended, the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Connor moved to suspend the order of business ;

Which motion did not prevail.

Mr. Wilson moved that the House adjourn ;

Which motion did not prevail.

No. 219. A bill concerning the duties of the county treasurer of the county of Kosciusko ;

Was read a second time, and,

On motion by Mr. Graves,

The rules were suspended, and the bill read a third time, and passed.

By unanimous consent the bill and title were amended by adding the county of Knox.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Withers,

The order of business was suspended.

Mr. Withers introduced,

No. 308. A bill more effectually to prevent mistakes ;

Which was read a first time and passed to a second reading.

No. 220. A joint resolution in relation to the barbarous, cruel, and inhuman conduct of the Austrian government ;

Was read a second time and ordered to be engrossed.

Mr. Spencer moved to suspend the rules and read the joint resolution a third time ;

Which motion did not prevail.

On motion by Mr. Robinson of Decatur,

The order of business was suspended.

Mr. Robinson of Decatur, introduced,

No. 309. A bill to amend an act, entitled "An act to incorporate the Rushville and Lawrenceburgh Railroad Company ;"

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to a select committee of five.

The Speaker then appointed Messrs. Robinson of Decatur, Watkins, Conaway, Rush, and Hill said committee.

On motion by Mr. Prather,

The order of business was suspended.

Mr. Prather offered the following resolution :

*Resolved*, That a select committee of five be appointed to inquire whether the interest of the State would not be promoted by passing an act letting out the State Printing, Binding, Stationery, &c., to the lowest responsible bidder.

Mr. Cravens moved to lay the resolution on the table.

The ayes and noes being demanded by Messrs. Lane and Prather :

On motion by Mr. Wilson,

The House adjourned until Monday morning, 9 o'clock.

## MONDAY MORNING, 9 O'CLOCK, DECEMBER 31, 1849.

The House met.

The journal of the preceding day was read;

### PETITIONS &C., PRESENTED.

By Mr. Salter,

The petition of sundry citizens of White county, praying for the enactment of a law to require all traveling pedlars and merchants to pay a license sufficient to afford some protection to the resident merchants, and also to compel the pedlars to pay their due share of the burdens of the State ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Salter, Huey, and Daugherty of Boone.

By Mr. Beard,

The temperance memorial of citizens of Wayne county ;



Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Gessie,

The petition to change the name of Susan Coleman to that of Susan Beers, and to divorce her from her husband :

Which,

On motion,

Were referred to a select committee consisting of Messrs. Gessie, Murray, Prather, Graves, and Robinson of La-porte.

By Mr. Holcomb,

The petition of Joshua Kitchen, for the relief of Nancy Kitchen ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Holcomb, Barker, and Dougherty of Elkhart.

By Mr. Stewart,

The temperance memorial of citizens of Henry county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Campbell,

The temperance memorial of citizens of Montgomery county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Dougherty of Boone,

The petition of sundry citizens of Boone county, praying for the establishing of an additional place of holding elections at Royalton, in said county :

Which,

On motion,

Was referred to the committee on elections.

By Mr. Mickle,

The petition of sundry citizens of Allen and Adams counties, praying for the incorporation of a company to construct a turnpike or plank road from Fort Wayne, via Monmouth, Decatur, and Pleasant Mills, to the State line, near Willshire ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Hill,

The petition of citizens of Ripley township, in Rush county, relative to the prohibition of the sale of ardent spirits in said township ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Hill, Rush, and Knowlton.

By Mr. May,  
The petition of Leland H. Stocker, and others, of Steuben county,  
for the repeal of certain laws ;

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Weaver,

The remonstrance on the subject of the removal of the county  
seat of Carroll county ;

Which,

On motion,

Was referred to the select committee on that subject.

By Mr. Delavan,

The petition of citizens of Morgan county, relative to declaring a  
certain road a State road ;

Which,

On motion,

Was referred to a select committee, consisting of  
Messrs. Delavan, Russell, and Hunter.

By Mr. Barker,

The petition of Mary Ann Baily, and other citizens of Dubois  
county, for a divorce ;

On motion by Mr. Carnahan of Posey,

The petition was laid on the table.

By Mr. Edwards,

The petition of citizens and voters of the town of Terre Haute,  
asking to make certain officers therein named elective by the voters  
of said town ;

Which,

On motion,

Was referred to the committee on corporations.

By Mr. Mickle,

The petition of John McConnell, and others, of Adams county,  
relative to the draining of lands and prairies ;

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Murray,

The temperance memorial of citizens of Cass county ;

Which,

On motion,

Was referred to the select committee on that subject.

By Mr. Mickle,

The petition of citizens of Adams county, for the repeal of a part  
of the 16th section, of chapter 12, of the revised statutes of 1843 ;

Which,

On motion,

Was referred to a select committee, consisting of  
Messrs. Mickle, Bird, and Huey.

By Mr. Huey,  
The petition of citizens of Jay county, on the subject of the road law ;

Which,

On motion,

Was referred to the committee on roads.

By Mr. Humphreys,

The petition of citizens of Bloomfield, praying for the repeal of the charter of said town ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Humphreys, Niblack, and Goodwin.

By Mr. Athon,

Three petitions of citizens of Clark county, praying for the repeal of the school law of the last session, so far as relates to said county ;

Which,

On motion,

Was referred to the committee on education.

By Mr. Edwards,

The petition relative to French spoiliations ;

Which,

On motion,

Was referred to the committee on ways and means.

By Mr. Prather,

The remonstrance of citizens of Jennings county, against the repeal of a certain township law ;

Which,

On motion,

Was laid on the table.

#### REPORTS FROM COMMITTEES.

Mr. Mickle, chairman of the committee on ways and means, made the following report ;

MR. SPEAKER :

The committee on ways and means, to whom was referred bill of the House No. 182, entitled, "A bill to amend article 1, chapter 12, of the Revised Statutes of 1843," have according to order, had that subject under consideration and directed me to report the same back to the House with one amendment, and when so amended recommend its passage. And your committee ask to be discharged from the further consideration of the subject.

Strike out from the enacting clause, and insert the following :

"That hereafter fire engines, engine houses, market houses, and

the ground on which the same may be situated, while kept and used for the public benefit, shall be exempt from taxation for any purpose whatever.

Sec. 2. This act to be in force from and after its passage, and all laws conflicting with the provisions of this act are hereby repealed."

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred House bill No. 252, entitled "A bill to regulate the practice in chancery, respecting the powers and duties of receivers," have considered the same, and directed me to report it to the House with an amendment, and when so amended to recommend its passage.

"Amend by striking out the 4th section."

Which amendment was concurred in.

On motion by Mr. Whinery,

The rules were suspended, and the bill read a third time, and passed.

On motion by Mr. Edwards,

The title of the bill was amended so as to read as,

"An act relative to a receiver in chancery in the county of St. Joseph."

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of Alexander Burns and two hundred others, citizens of Posey county, praying the exemption of a homestead from forced sale on execution, and also the petition of S. Fowler and many other citizens of Elkhart county on the same subject, have had the same under consideration and have instructed me to report, that inasmuch as a select committee of one from each judicial circuit has been appointed to take into consideration the subject prayed for in said petition, said petitions should be referred to said select committee, and the judiciary committee also pray to be discharged from the consideration of this subject for the further and additional reasons

mentioned in a previous report by the chairman of said judiciary committee.

Which report was concurred in.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred a resolution instructing said committee to bring in a bill to amend the execution laws, so that property shall not be exempt from execution for road tax purposes, have in accordance with the requirements of said resolution instructed me to report the following bill :

No. 310. A bill to secure the more prompt payment of road tax;

Which was read a first time and passed to a second reading.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill, No. 253, have had the same under consideration, and have instructed me to report it back without amendment and recommend its passage.

No. 253. A bill to amend an act authorizing the construction of plank roads, approved, January 13, 1849 ;

Which was read a second time ordered to be engrossed.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred the petition of Abraham Cripe and twenty others, of Fulton county, praying relief for certain persons therein named, have had the same under consideration, and have instructed me to report the accompanying bill and respectfully recommend its passage :

No. 311. A bill for the relief of certain persons in the county of Fulton ;

Which was read a first time and passed to a second reading.

Mr. Graves from the committee on the judiciary, made the following report :

MR. SPEAKER :

The majority of the judiciary committee, to which was referred bill of the House No. 103, entitled an act regulating the license of traveling merchants and pedlars, with sundry proposed amendments, have had said bill and proposed amendments under consideration, and have directed me to report said bill back, with an amendment, upon the adoption of which they respectfully recommend its passage

Strike out all of said bill after the enacting clause and insert the following :

That there shall be assessed and paid into the county treasury of each and every county in this State, for county purposes, the following : For each license to traveling merchants and pedlars, the annual sum of fifteen dollars, which shall only authorize such merchants or pedlars to sell goods, wares, and merchandise in the county where such license is obtained.

Sec. 2. The term "Traveling Merchants or Pedlars," as used in this act, shall be construed to include every itinerant and unsettled person, trading and dealing in any foreign or domestic goods, wares, merchandise, or jewelry, except as provided in the next section.

Sec. 3. This act shall not extend to or include persons vending tin-ware manufactured in this State, venders of pottery or earthen ware, or implements of husbandry ; nor to any person vending articles exclusively of his own manufacture, which have been manufactured within this State ; nor to venders of tea, coffee, or sugar.

Sec. 4. Such license shall be procured from the proper county auditor, and shall not authorize any such person to vend any such goods, wares, or merchandise, unless the name of the person so vending is inserted in such license.

Sec. 5. Traveling merchants and pedlars, in and upon any navigable water course within this State shall also be required to take out such license in each and every county where they shall sell any such goods, and upon failure so to do, shall be subject to the prosecution and penalties prescribed by this act ; but any such merchant or pedlar may, if he shall desire so to do, take out from the office of the clerk of the circuit court of any county in this State, one license for all the counties along such water course, for the sum of fifty dollars, which shall authorize such merchant or pedlar to vend any such goods for the term of one year, in and upon the waters of any such navigable river, throughout the length thereof. And the clerk receiving the said sum of fifty dollars, shall pay the same into the State Treasury, through the treasurer of his county, which shall be distributed among the several counties of this State, for the use of the common school fund, in proportion to the number of taxable polls therein.

Sec. 6. It shall be the duty of county auditors, treasurers, clerks, sheriffs, and each and every justice of the peace and constable, to



see that licenses are procured and paid for by those who should obtain the same, and on neglect or refusal of any such person to obtain such license, before selling any article of merchandise, as aforesaid, he or they shall be liable, for every offence of selling, to an action, in the name of the proper county treasurer, for the sum of fifty dollars, before any court having jurisdiction thereof; and it shall be the duty of the above named officers, or any one of them, to cause suit to be instituted immediately, in the name of the proper county treasurer, in an action of debt for the said sum of fifty dollars.

Sec. 7. Upon recovery of the penalty in the last section prescribed, fifteen dollars of the same shall be for the use of the person who shall cause suit to be instituted, and the remaining thirty-five dollars shall be paid into the common school fund of the proper county.

Sec. 8. That in all prosecutions for the violation of this act, it shall only be necessary to allege in the cause of action that the defendant is indebted to the county treasurer in the sum of fifty dollars for vending merchandise contrary to law; and in all prosecutions under this act, no suit shall be dismissed or abated for any defect or omission in the process or pleadings, either in the name of the defendant or otherwise, but the same shall be amended from time to time as may be necessary, and a single act of selling shall, when proven, authorize a recovery against such traveling merchant or pedlar.

Sec. 9. If any traveling merchant or pedlar shall, when required by any officer mentioned in the 6th section of this act, refuse to produce his license, if he have one, his production of the same after the commencement of a prosecution against him, shall not release him from the penalties prescribed by this act.

Sec. 10. All suits instituted under this act, shall be commenced by capias returnable forthwith, which shall issue as a matter of course upon the filing of a cause of action as prescribed by the 8th section of this act; and if after trial, judgment shall be rendered against the defendant, the wagon, horses, goods, wares, and merchandise in his possession, used in carrying on said trade, shall be immediately subject to execution to satisfy said judgment.

Sec. 11. All acts and parts of acts coming in conflict with the provisions of this act be and the same are hereby repealed.

Sec. 12. This act shall take effect and be in force from and after its passage.

On motion by Mr. Wilson,

The bill and pending amendment were laid on the table.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report:

MR. SPEAKER :

The judiciary committee, to whom was referred the petition of N. F. Brodrick and others, citizens of Elkhart, praying that hawkers and itinerant pedlars should be compelled to pay a state or county license, have had the same under consideration, and have instructed me to report that a bill has been submitted for the action of this House which, if passed, will embrace the provisions prayed for by said petitioners.

Which report was concurred in.

Mr. Allen, chairman of the committee on agriculture, made the following report :

MR. SPEAKER :

The committee on agriculture, to whom was referred a resolution of the House, referring so much of the Governor's Message as relates to the establishment of an Agricultural Bureau in the Home Department at Washington City, have had the same under consideration, and inasmuch as there has been a joint resolution passed the House on that subject, the committee ask to be discharged from the further consideration of said resolution.

Which report was concurred in.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill of the House, No. 301, entitled "An act to incorporate the Danville, North Salem, and Crawfordsville Plank road Company," have had the same under consideration, and have directed me to report the bill back to the House without amendment, and respectfully recommend its passage.

Which bill was ordered to be engrossed.

On motion by Mr. Russell,

The rule was suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Goodwin moved to suspend the order of business, for the purpose of affording him an opportunity to make a report from the committee on roads ;

Which motion did not prevail.

Mr. Farnesly, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill No. 181, "An act to repeal in part an act entitled 'an act to increase and extend the benefits of common schools,' approved Jan. 17th, 1849," have had the same under consideration, and have directed me to report the same as unappropriately referred, and ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Withers, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the Senate No. 40, entitled "An act to incorporate the Trustees of the Princeton Female College," have had the same under consideration, and a majority of said committee have instructed me to report the same back with one amendment, and when so amended they recommend its passage :

Amend the 2d section by striking out that part which exempts the property of said College from taxation ;

Which was concurred in.

The bill as amended was ordered to a third reading.

Mr. Brown of Randolph, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House No. 290, to incorporate the Noblesville Bridge Company, have had the same under consideration, and ask leave to report the same back with one amendment, and recommend its passage.

Amend section 6, by inserting the following :

"And all persons going to and returning from their ordinary places of worship shall be exempted from the payment of tolls ;"

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

Mr. Farnesly, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred House bill

No. 286, "An act to enable the inhabitants of the counties of Huntington and Whitley to construct Plank roads," have had the same under consideration, and have directed me to report the same with one amendment, and after the adoption of which, to recommend its passage :

Amend Sec. 2 as follows, in the proper place :

Strike out the words "electors so voting," and insert "legal qualified voters of said townships ;"

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

Mr. Brown of Randolph, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the House No. 293, "to extend the powers of the Shelbyville Lateral Branch Rail Road Company, the Knightstown and Shelbyville Rail Road Company, and the Rushville and Shelbyville Rail Road Company, and for other purposes," have had the same under consideration, and ask leave to report the same back to the House, without any amendment, for its action thereon, and ask to be discharged from the further consideration of said bill.

On motion by Mr. Robinson of Decatur,  
The bill was laid on the table.

Mr. Edwards, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the joint resolution of the House No. 88, entitled "a joint resolution on the subject of a rail road from the Atlantic to the Pacific Ocean," have had the same under consideration, and directed me to report it to the House, with the following amendments, and when so amended, to recommend its passage.

Strike out from the resolving clause, and insert the following ;

That this General Assembly cordially approve of the proposition of connecting the valley of the Mississippi with the Pacific Ocean, by means of a National Rail Road, and endorse the following resolutions adopted on the subject, by a convention of the American people, met at St. Louis, on the 15th of October last, as patriotic and national.

*Resolved*, That in the opinion of this convention, it is the duty of

the General Government to provide, at an early period, for the construction of a Central National Rail Road, from the valley of the Mississippi to the Pacific Ocean.

*Resolved*, That in the opinion of this convention, a Grand Trunk Rail Road, with branches to St. Louis, Memphis, and Chicago, would be such a central and national one.

*Resolved*, That a committee be appointed, to communicate to the convention to be held at Memphis, the foregoing resolutions, and to request the concurrence of said convention therein.

Sec. 2. *Resolved, further*, That this General Assembly also cordially endorse the following resolutions, adopted by a convention of the American people, met at Memphis, on the 23d of October last, as patriotic and national, and as evidencing the concurrence of public sentiment on that subject :

1st. *Resolved*, That it is the opinion of this convention, that it is the duty of the General Government to provide, at an early period, for the construction of a National Rail Road, from the Mississippi River to the Pacific Ocean.

2d. *Resolved*, That to facilitate the accomplishment of this object, in the opinion of this convention, it is the duty of the General Government to constitute an efficient and competent corps of engineers, to make complete explorations and surveys of all the routes that have been designated by public opinion, as proper for the line of this road.

3d. *Resolved*, That after the proper surveys shall have been completed, that, in the opinion of this convention, it is the duty of the General Government to locate this line of the road, and, in making the location, that route should be selected which is easiest of access. best calculated to subserve the purposes of national defence, most convenient to the people of, and, as far as practicable, central to the United States, and upon which a rail road can be constructed on the cheapest and best terms.

4th. *Resolved*, That to carry into effect the object of the first resolution, in the opinion of this convention, the public lands of the United States constitute a legitimate and proper fund.

5th. *Resolved*, That after the construction of the National Railway Trunk from the Mississippi River to the Pacific Ocean, in the opinion of this convention, it is the duty of Congress to aid, by the appropriation of the national domain, in the construction of such branch rail roads as will best connect it with the northern lakes, and the great thoroughfares leading to the Atlantic Ocean, and with such other points on the Mississippi River as will connect it with the lines of improvement completed, or in the course of construction ; and, also, to aid in the construction of branches from the

main trunk to suitable points on the Gulf of Mexico, either east or west of the Mississippi River.

6th. *Resolved*, That in the opinion of this convention, it is the duty of the General Government to provide, under liberal conditions, for a connection between the main trunk of this National Rail Road and all rail roads now made, or which may hereafter be constructed by the authority of the several States and Territories of the Union.

Sec. 3. *Resolved, further*, That our Senators in Congress are hereby instructed, and our Representatives requested, to carry out and sustain the principles set forth in the foregoing resolutions, and that his Excellency, the Governor, is hereby directed to forward a copy of the same, to each of the aforesaid Senators and Representatives.

Mr. Carnahan of Posey moved to lay the report and joint resolution on the table ;

The ayes and noes being demanded by Messrs. Prather and Carnahan of Posey :

*Those who voted in the affirmative are,*

Messrs. Athon, Barker, Beard, Caldwell, Carnahan of Posey, Cole, Connor, Dodd, Elder, Ellis, Farnesly, Greathouse, Harney, Humphreys, Hunter, Johnson, Lank, and Spencer—18.

*Those who voted in the negative are,*

Messrs. Allen, Alley, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Campbell, Conaway, Cotton, Cravens, Defrees, Delavan, Dougherty of Boone, Dougherty of Elkhart, Edwards, Essex, Gentry, Gessie, Goodwin, Graves, Hart, Hicks, Hill, Hillis, Holcomb, Huey, Keeney, Knowlton, Lane, Leviston, May, Mickle, Miller of Marshall and Fulton, Miller of Owen, Morrison, Niblack, O'Haver, O'Neal, Orr, Patterson, Prather, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Shelby, Shepard, Sherrod, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Warriner, Watkins, Weaver, Wells, Weir, Wilson, Withers, Whinery, Wright, Yocum, and Mr. Speaker—71.

So the report and joint resolution were not laid on the table.

The question then being,

On the engrossment of the joint resolution,

Was decided in the affirmative.

On motion by Mr. Edwards,

The rules were suspended, and the joint resolution read a third time, and passed.

On motion by Mr. Edwards,

The preamble of the resolution was stricken out.



Mr. Edwards moved to amend the title so as to read as follows :  
 "A joint resolution relative to a National Railroad from the valley of the Mississippi to the Pacific Ocean ;"

Which motion prevailed.

*Ordered*, That the Clerk inform the Senate of the passage of said joint resolution.

Mr. Hart, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill of the Senate, No. 80, entitled, "An act to extend the powers of the President and Trustees of the town of Columbus," have had the same under consideration, and directed me to report the same back to the Senate, with one amendment, and, when adopted, they recommend its passage.

Amend as follows :

Sec. —. The Treasurer of said corporation, in the collection of delinquent taxes for said corporation, shall be entitled to the same per centage, penalties, and charges in sales of personal property as in sales of real estate.

Which amendment was concurred in.

The bill, as amended, was ordered to a third reading.

On motion by Mr. Hart,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Miller, of Marshall and Fulton, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Stark county, asking for the passage of a law providing for the organization of said county, have had the subject matter of said petition under consideration, and have directed me to report the following bill in accordance with the prayer of the petitioners, and respectfully recommend its passage :

No. 312. A bill to organize the county of Starke ;

Which was read a first time and passed to a second reading.

On motion by Mr. Miller of Marshall and Fulton,

The rules were suspended, and the bill read a second time, and ordered to be engrossed.

Mr. Dodd, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of the Trustees of the County Seminary and the Board of County Commissioners of Grant county, asking a law authorizing the County Auditor to loan the Trustees of Grant County Seminary a sum sufficient to complete their building, have had the subject under consideration, and have authorized me to report the following bill and recommend its passage :

No. 313. A bill to authorize the Auditor of Grant county to loan money to the Trustees of the Grant County Seminary ;

Which was read a first time and passed to a second reading.

Mr. Prather, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of citizens of Jennings county, have had the same under consideration, and have directed me to report the following bill, and recommend its favorable consideration to the House, and ask to be discharged from the further consideration thereof :

No. 314. A bill appropriating one hundred dollars out of the State Treasury for the building of a bridge in Jennings county, and appointing a commissioner to expend the same ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee of ways and means.

Mr. Goodwin, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of the county of Daviess, praying an act for the relief of Thomas Brown, of said county, have had the same under consideration, and have instructed me to report the accompanying bill, and respectfully recommend its passage :

No. 315. A bill to authorize the Board of Commissioners of Daviess county to compound a certain claim against the surviving security of Joseph Doherty, late of said county, deceased ;

Which was read a first time and passed to a second reading.

Mr. Spencer, from a select committee, made the following report :

MR. SPEAKER :

The select committee of one from each congressional district, to whom was referred so much of the Governor's Message as relates to the three per cent. fund, and the settlement of the same with the General Government, have had the same under consideration, and have instructed me to report that inasmuch as a joint resolution in regard to said fund has passed the Senate, and will in all probability pass the House, which will secure the object designed, it is unnecessary for this House to take any further action in this matter ; and in consideration of the premises, your committee respectfully ask to be discharged from the further consideration of the subject.

Which report was concurred in.

On motion by Mr. Wilson,

The House took from the table House bill

No. 103., entitled "a bill regulating the license of travelling merchants and pedlars."

Mr. Wilson moved to amend section 5 by striking out of the 19th line the words "of this State," and insert "bordering on such water courses."

Which amendment was adopted.

Mr. Athon moved to amend the first section by adding the following words, to-wit :

*And further provided*, This law sha'l not extend to those persons in the county of Clark, known as "marketers."

Which amendment was adopted.

The bill as amended was ordered to be engrossed.

Mr. Russell, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill of the Senate No. 29, have had the same under consideration, and have instructed me to report the same back to the House with the following amendments, and when so amended, recommend its passage.

Amend section 3d after the word "subscribed," in said section, by inserting the following : "It shall also be the duty of the Directors to give notice of at least twenty days, in some newspaper in said county or counties, and if no paper be published in said county, then in a paper in the adjoining county, where said books are to be opened for subscription of stock, and said books shall be kept open for at least twenty days for the subscription of stock.

Amend section 4th by adding the following : *Provided*, said company shall, on or before the first day of June, 1851, complete ten additional miles of said road west of Indianapolis, and ten miles east of Indianapolis, including the four miles already commenced

at Greenfield—otherwise the privileges granted by this act to said company shall be in operative and of no effect.

Which amendments were adopted,  
The bill as amended was ordered to a third reading.

On motion by Mr. Russell,  
The rule was suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Hill, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the communication of John W. King, in relation to proposed amendments of the constitution of the United States, have had the same under consideration, and instructed me to report the same back to the House and recommend that it be laid on the table, and ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Huey, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of the citizens of the county of Jay, upon the subject of common schools, have had the same under consideration, and have directed me to report the following bill, and would respectfully recommend its passage:

No. 316. A bill to amend an act entitled "an act to increase and extend the benefits of common schools ;"

Which was read a first time and passed to a second reading.

Mr. Spencer, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Ohio and Dearborn counties, have had the same under consideration, and directed me to report the following bill and recommend its passage :

No. 317. A bill to improve Laughery creek, in the state of Indiana ;

Which was read a first time and passed to a second reading.

Mr. Sherrod, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 146, entitled "a bill to repeal an act to provide for the election of a prosecuting attorney in the 2d judicial circuit," have had the same under consideration, and have directed me to report the same back to the House, without amendment, and respectfully recommend its passage.

Which was ordered to be engrossed.

Mr. Athon, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Dr. James Matthews, have had the same under consideration, and have directed me to report that the legislature possesses no authority to grant the prayer of the petitioner, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

On motion by Mr. Mickle,

The order of business was suspended.

Mr. Mickle, chairman of the committee on ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means, to whom was referred the memorial of the White Water Canal Company, and the bill accompanying the same, have had the same under consideration, and have directed me to report that in the opinion of your committee the interest of the State in the redemption and profits of the said canal, is of little or no importance to the State, but that it is of importance to the finance and credit of the State that the canal shall be kept up and maintained. Your committee further suggests, that it is probable that the relation of the State to the canal, as its redemption and recipient of all its nett profits over eight per cent. per annum, may have a great effect upon the value of its stock, upon the hopes of its proprietors and present investments, both in its stock and water power, to the injury of the State, and perhaps to the ruin of its present stockholders, which is not to be desired, your committee, therefore, not believing the position of the State advantageous to the interest of the State or company, have directed me to report the bill back with one amendment, and when so amended, recommend its passage, and ask to be discharged from the further consideration of the subject.

Strike out all after the preamble to said bill and insert the following :

That the Auditor and Treasurer of State be required, immediately after the passage of this act, to advertise in such newspapers as they may think proper, all and singular the right and interest of the State in the said White Water Valley Canal, and also the right of the State to redeem said Canal from said company, upon the terms in the said charter specified, for at least sixty days before the sale thereof, and to sell the same at public auction, at the office of Treasurer of State, to the highest bidder, upon credits of one, two, and three years, with interest, in equal installments, or for money down, if the purchaser may choose to pay the same; but if not paid down to be secured to the acceptance of the Auditor and Treasurer; and upon the sale thereof to any person or persons, or to the said White Water Valley Canal Company, who are hereby declared competent to purchase and hold the same, the said Auditor and Treasurer shall make out and sign with their proper names, a certificate, with the seal of the Treasurer of State attached thereto, certifying the sale and purchase of the rights of the State in said Canal; and from thenceforth all the rights of the State in the profits of said Canal, and to the redemption thereof from said company, be, and the same are divested from the State; and the same shall be, and are hereby, invested in the purchaser thereof at such sale, to be held and enjoyed by such purchaser, without incumbrance, diminution, or molestation of the State of Indiana forever, and to enjoy the same privileges and immunities that the said State did, under the charter of said company, in regard to the same, before the sale thereof hereby provided for; and the charter of said company is hereby modified, so far as this act may change its relations with the State, as a recipient of its profits, or as its redelector.

This act to be in force from and after its passage.

Which amendment was adopted.

The bill as amended was ordered to be engrossed.

On motion by Mr. Elder,

The rules were suspended, the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Hillis,

House bill

No. 180. A bill to amend an act entitled "an act to increase and extend the benefits of common schools;"

Was taken from the table and placed on the files of the House.

Mr. Wells, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of sundry citizens of Jackson county praying to be attached to the county of Lawrence, together with a remonstrance on the same subject, respectfully beg leave to report that they have had the same under



consideration, and directed me to report the following bill, and ask to be discharged from the further consideration of the same:

No. 318. A bill attaching a part of the county of Jackson to the county of Lawrence;

On motion by Mr. Hunter,  
House bill

No. 96. A bill making an appropriation to the Independent Relief Fire Engine and Hose Company, No. 1;

Was taken from the table and placed on the files of the House.

On motion by Mr. Hill,  
House bill

No. 179. A bill to amend an act entitled "an act to revise and consolidate the several acts of the General Assembly relative to the laying out, opening, repairing, changing, and vacating public highways, and to the erection and repair of bridges, and to amend the same," approved January 16, 1849;

Was taken from the table and placed on the files of the House.

#### RESOLUTIONS.

When the House adjourned on yesterday, the resolution offered by Mr. Prather, (relative to the expediency of letting out the State Printing, Binding, &c., to the lowest responsible bidder,) was under consideration.

The question being on the motion to lay the resolution on the table,

The ayes and nays having been demanded,

*Those who voted in the affirmative are,*

Messrs. Athon, Barker, Beard, Campbell, Carnahan of Posey, Cravens, Delavan, Dodd, Dougherty of Elkhart, Elder, Essex, Farnesly, Gentry, Greathouse, Hicks, Holcomb, Landiss, Leviston, Niblack, O Haver, Richardson, Shepard, Sherrod, Thomas, Warriner, Wells, and Mr. Speaker—30.

*Those who voted in the negative are,*

Messrs. Allen, Alley, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Carnahan of Fountain, Cole, Conaway, Connor, Cotton, Defrees, Dougherty of Boone, Edwards, Ellis, Gessie, Goodwin, Graves, Harney, Hart, Harvey, Hill, Hillis, Huey, Johnson, Keeney, Knowlton, Lane, Lank, May, Mickle, Miller of Marshall and Fulton, Millikin, Murray, O'Neal, Orr, Patterson, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Saker, Shelby, Spencer, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Weaver, Wilson, Wright, and Yocum—61.

So the resolution was not laid on the table.

Mr. Mickle moved to strike out the word "printing."

On motion by Mr. Carnahan of Posey,

The House adjourned to meet at 2 o'clock, P. M.

*Two o'clock, P. M.*

The House met.

#### ORDERS OF THE DAY.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with sundry amendments :

No. 24. An act to incorporate the American Live Stock Insurance Company ;

In which amendments the concurrence of the House is respectfully requested.

Which amendments were concurred in by the House.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof :

No. 82. An act to amend an act entitled an act to incorporate the city of Richmond, Wayne county, Indiana, approved February 24, 1840 ;

No. 131. An act to enable the Indiana Yearly Meeting of the religious Society of Friends, to receive, hold, manage, appropriate, and dispose of property for religious, educational, charitable, and benevolent purposes ;

No. 150. An act to incorporate the trustees of the Hartsville Academy ;

No. 155. An act to incorporate the Madison Gas Light Company ;

No. 166. An act to prevent frauds upon the revenue ;

No. 173. An act to incorporate the Rushville and National Road Plank Road Company ;

No. 174. An act to amend an act authorizing the board of commissioners of Cass county to issue bonds bearing ten per cent. interest per annum, approved January 28, 1843 ;

No. 176. An act to increase the per diem allowance of the probate judge of the probate court of Fountain county ;

No. 218. An act to authorize the board of commissioners of Daviess county to compromise certain actions now pending against the securities of Friend Spears, late treasurer of said county ;

In all of which the concurrence of the House is respectfully requested.

The House then proceeded to the consideration of the Senate bills contained in the foregoing message.

No. 82. A bill to amend an act entitled an act to incorporate the city of Richmond, Wayne county, Indiana, approved February 24th, 1840 ;

Was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Elder,

The bill was referred to the committee on corporations.

No. 131. A bill to enable the Indiana Yearly Meeting of the religious Society of Friends to receive, hold, manage, appropriate, and dispose of property, for religious, educational, charitable, and benevolent purposes ;

Was read a first, second, and third times, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 150. A bill to incorporate the trustees of the Hartsville Academy ;

Which was read a first time and passed to a second reading.

No. 155. A bill to incorporate the Madison Gas-light Company ;

Was read a first and second times, the rules being suspended therefor.

On motion by Mr. Hillis,

The bill was referred to the committee on corporations.

No. 165. A bill to prevent frauds upon the revenue ;

No. 173. A bill to incorporate the Rushville and National Road Plank Road Company ;

Were each read a first time and passed to a second reading.

On motion by Mr. Holcomb,

Leave of absence was granted Mr. Withers.

No. 174. A bill to amend an act authorizing the board of commissioners of Cass county to issue bonds bearing ten per cent. interest per annum, approved January 28th, 1843 ;

No. 176. A bill to increase the per diem allowance of the probate judge of the probate court of Fountain county ;

No. 218. A bill to authorize the board of commissioners of Daviess county to compromise certain actions now pending against the securities of Friend Spears, late treasurer of said county ;

Were severally read a first time and passed to a second reading.

*Senate Bills on their third reading.*

No. 56. A bill to increase the salary of the probate judge of Posey county, in the State of Indiana ;

Was read a third time ;

On motion by Mr. Carnahan of Posey,

The bill was indefinitely postponed.

*House Bills on their Third Reading.*

No. 123. A bill amending sections 48, 49, and 58, of chapter 29, of the Revised Statutes of 1843 ;

No. 153. A bill to amend section 141, of chapter 35, of the Revised Laws of 1843, relating to the duties of overseers of the poor ;

No. 154. A bill to amend an act entitled an act authorizing the construction of plank roads, approved January 15, 1849 ;

No. 155. A bill to amend an act providing for the selection of grand and petit jurors ;

No. 157. A bill to amend section 100, of chapter 12, of the Revised Statutes of 1843 ;

Were severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Butler moved to suspend the order of business and take from the table joint resolution No. 82.

Which motion did not prevail.

No. 183. A bill to regulate grand and petit jurors' fees in the county of Adams ;

Was read a third time and passed.

On motion by Mr. Mickle,

The title was amended by adding the words, "and other counties therein named."

*Ordered*, That the Clerk inform the Senate thereof.

No. 184. A bill to amend the charter of the city of Evansville ;

No. 185. A bill to change the time of holding the April terms of the Commissioners' Court of Jefferson county ;

No. 187. A bill to amend the 14th section of the Revised Road law of 1849 ;

No. 188. A bill in relation to the change of names ;

No. 191. A bill relating to the Sullivan county Library ;

No. 192. A bill to confirm the Angola Plank Road Company ;

No. 193. A bill to regulate the per diem allowance for work done on the public highways in Adams county ;

Were severally read to third time and passed.

On motion by Mr. Mickle,

The title of No. 193 was amended by adding the words, "and other counties therein named."

*Ordered*, That the Clerk inform the Senate thereof.

No. 198. A bill to extend the time of holding county courts in Perry county ;

No. 200. A bill to authorize Isaac Wilcox to construct a bridge or culvert over a State road in the county of Morgan, therein described ;

No. 201. A bill to repeal the 4th and 5th sections of an act to improve the roads in Centre township, in the county of Dearborn, approved January 18, 1847 ;

No. 209. A bill relative to the Board of Commissioners of Franklin county ;

Were severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 212. A bill to provide for recording inventories and sale bills in decedent's estates ;

Was read a third time ;

When, by unanimous consent, the bill was so amended as to except from its provisions the counties of Howard, Randolph, Sullivan, and Daviess.

On motion by Mr. Carnahan of F.,

The bill was laid on the table.

No. 213. A bill to legalize the acts of commissioners appointed to locate a road in the counties of Fountain and Tippecanoe ;

No. 214. A bill to repeal a certain act therein named ;

Were each read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 217. A bill to explain sections 8, 14, and 130, of an act therein named ;

Was read a third time ;

When, by unanimous consent, the bill was amended by adding the county of Gibson.

The question then being, shall the bill pass?

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

No. 220. A joint resolution on the subject of the barbarous and inhuman conduct of the Austrian Government toward Hungary ;

No. 257. A bill to incorporate the Harrison and Boardman Turnpike Company ;

Were each read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 282. A joint resolution providing for the purchase of land for the Deaf and Dumb Asylum ;

No. 284. A bill to incorporate the Rising Sun and Versailles Turnpike Company ;

No. 288. A bill for the relief of Nehemiah Cheesman, of Wayne county ;

No. 289. A bill for the more speedy completion of the Indiana Hospital for the Insane ;

No. 300. A bill relative to the field notes, maps, records, and other papers, appertaining to land titles within the State of Indiana ;  
Were severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 305. A bill for an appropriation for a State Fire Engine for the use of the State prison ;

Was read a third time.

Mr. Edwards moved to refer it to the committee on State Prison, with the following instructions :

Amend by striking out so much of the bill as relates to the appropriation of \$2000, out of the State treasury, and provide for the insurance of such part of the property of the State, appertaining to the State Prison, as may be practicable.

Which motion did not prevail.

The question then recurring on the passage of the bill,  
Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The Speaker laid before the House, the following communication from the Quarter Master General, viz :

QUARTER MASTER GENERAL'S OFFICE, }  
*Indianapolis, Indiana, December 28, 1849.* }

MR. SPEAKER :

In reply to a resolution of the House of Representatives, handed to me a few days since, by Col. Gentry, requesting me to report the number, kind, and condition of public arms, and the amount annually expended for the transportation and repair of the same, I state as follows :

There are in the Armory at this time,

460 Muskets—new,

100 Hall's patent rifles—new,

160 Carbines—new,

400 Percussion pistols—new,

200 Sabres—new,

28 Boxes, accoutrements—new,

1 Brass six pounder cannon, carriage, and equipage.



There are some six hundred guns in the armory, which have been used by companies and returned. As there have been no expenses incurred in repairing arms within the last eighteen months, the expenses for that purpose, for the ensuing year, will include the expenses for two and a-half years, and will probably amount to some four hundred dollars. The transportation paid by the State, for sending arms to, and bringing them back from companies, has been but a few dollars, (I cannot give now the exact amount,) for the reasons that companies have been required to pay said transportation and are generally willing to do it. The undersigned believes that section 20, page 22, of the General Laws of 1844, on furnishing arms to companies, is complied with when he delivers to the commandant of a company, at the armory on a proper requisition, the proper arms for said company. But as many construe the law to mean that the State pay the expenses of transportation of said arms to the locality of the company, and as it is believed that a company, that is not willing to incur the small amount per member, to pay said transportation, has not sufficient military spirit to insure a continued organization, it is respectfully recommended to avoid any ambiguity that may exist in reference to the law aforesaid, that the Legislature pass a law requiring companies drawing arms from the State, to pay transportation from the seat of Government and back again, where the arms are given up by the company. When I came into office, I found that many companies had received arms at the transportation and expense of the State, which had not even been taken from the boxes, and had therefore, to be brought back to the armory at the expense of the State, the company for whom this double expense had been incurred, never having used said arms. The annual quoto of arms due to the State, is about 400 muskets. In 1846 and 1847, during the war with Mexico, the General Government did not issue the quoto to this State. In 1848, the State received her quoto, in 1849, no arms were received. But a letter from the ordinance department, of the 17th inst., to the Governor, informs us that the quoto for 1849 and 1850, will be issued, amounting for the two years, to about 800 muskets, or their value in other arms, and an order for said arms has been made out to said ordinance department.

The State of Indiana draws arms from the General Government, under a report of her strength, made in 1832, since which, her population has nearly tribled, and hence a correct report now would give us nearly three times our present quoto of arms. But as this cannot be done, without a full military organization, and as no such organization is now probable, we will have to draw arms under the old report of our strength.

By reference to the Documentary Journals, you will find the last six years, (the period of our term of office,) the Adjutant General and I, have made our regular official reports, although our predecessors for many years, had not done so. In those reports, the facts in reference to our inabilities to draw our proper quoto of arms, with-

out a new organization were fully set forth. For three sessions of the Legislature, the Adjutant General assisted the respective committees on Military Affairs, to draw up laws for organizing the Militia, and twice did a full code for said object pass the House of Representatives, but failed in the Senate.

But all efforts having failed, to procure the passage of a law for the purpose of securing to the State, her proper quota of arms, and there being nothing new to communicate in reference to the operations of the past year; I thought a failure to report, on my part, wholly unimportant to the interest of the public, and this is my explanation for not reporting at the commencement of the present session of the Legislature, the same reasons will account for the brief report of the Adjutant General, there being nothing new in either his or my department, to report.

Respectfully,

Your obedient servant,

SAMUEL BECK,

*Quarter Master General Indiana Militia.*

On motion by Mr. Burnet,

The communication was referred to the committee on military affairs.

The Speaker laid before the House the following communication from John R. Elder, viz :

*To the Honorable, the Speaker of the House of Representatives :*

I have the honor herewith to submit to you, and through you to the honorable body over which you preside, the following proposition for doing the public printing, viz :

I will do the work at a reduction of 15 per cent. below the rates at present established by law, in a neat and workman-like manner, under any reasonable restrictions that the legislature may impose, and I will give satisfactory bond and security for the prompt and faithful execution of the work.

All of which is respectfully submitted.

JOHN R. ELDER.

INDIANAPOLIS, Dec. 31, 1849.

Mr. Cravans moved to lay the communication on the table ;

Which motion did not prevail.

Mr. Lane moved to refer the communication to a select committee;

Which motion did not prevail.

On motion by Mr. Cotton,

The communication was then referred to the committee on ways and means.

On motion by Mr. Sherrod,

The order of business was suspended.

Mr. Sherrod then offered the following resolution :

*Resolved*, That this House will, the Senate concurring therein, go into the election of State Printer and Superintendent of the Northern Division of the Central Canal, on Thursday next, at 10 o'clock.

Mr. Prather moved to lay the resolution on the table ;

Which motion did not prevail.

Mr. Cravens moved to amend by striking out the words, "and Superintendent of the Northern Division of the Central Canal ;"

Which motion prevailed.

The question then recurring on the adoption of the resolution,

The ayes and noes being demanded by Messrs. Lane and Butler,

*Those who voted in the affirmative are,*

Messrs. Alley, Bowen, Brown of R., Burnet, Beard, Campbell, Carnahan of Posey, Conaway, Cotton, Cravens, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Elder, Ellis, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Hicks, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Landiss, Leviston, May, Mickle, Miller of Marshall and Fulton, Niblack, O'Haver, Patterson, Richardson, Ross, Salter, Sherrod, Spencer, Stoops, Thomas, Warri-ner, Watkins, Weaver, Wells, Yocum, and Mr. Speaker—50.

*Those who voted in the negative are,*

Messrs. Athon, Barker, Bird, Brown of Shelby, Byers, Butler, Caldwell, Carnahan of Fountain, Connor, Defrees, Gessie, Goodwin, Graves, Hill, Keeney, Knowlton, Lane, Lank, Miller of Owen, Milliken, Morrison, Murray, O'Neal, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Shelby, Stewart, Stone, Summers, Thom, Tinbrook, Weir, Wilson, Whinery, and Wright—42.

So said resolution was adopted.

#### HOUSE BILLS ON THEIR SECOND READING.

On motion by Mr. May,

House bill, No. 43, was taken from the table and placed upon the files.

No. 109. A joint resolution on the subject of internal improvements ;

Was read a second time.

Mr. Brown of Shelby, moved to lay the joint resolution on the table.

The ayes and noes being demanded by Messrs. Reed and Wright :

*Those who voted in the affirmative were,*

Messrs. Alley, Athon, Barker, Beard, Brown of Shelby, Caldwell, Carnahan of Posey, Cravens, Dougherty of Boone, Essex, Farnesly, Gentry, Greathouse, Hart, Harvey, Hicks, Holcomb, Humphreys, Johnson, Leviston, Mickle, O'Haver, Richardson, Salter, Sherrod, Stoops, Thomas, Warriner, Watkins, Yocum, and Mr. Speaker—31.

*Those who voted in the negative were,*

Messrs. Bird, Bowen, Brown of Randolph, Burnet, Butler, Byers, Campbell, Carnahan of Fountain, Cole, Connor, Cotton, Defrees, Delavan, Dodd, Dougherty of Elkhart, Edwards, Ellis, Gessie, Goodwin, Graves, Harney, Hill, Hillis, Huey, Hunter, Keeney, Knowlton, Lane, Lank, May, Miller of Marshall and Fulton, Millikin, Morrison, O'Neal, Orr, Patterson, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Shelby, Shepard, Spencer, Stewart, Stone, Summers, Thom, Tinbrook, Weaver, Wells, Weir, Wilson, Whinery, and Wright—57.

So said joint resolution was not laid on the table.

The question then recurring on the engrossment of the joint resolution ;

It was decided in the affirmative.

On motion by Mr. Lane,

Messrs. Brown of Randolph, Allen, Burnet, Mickle, Rush, Russell, and Leviston, were added to the select committee to whom was referred House bill, No. 229.

On motion by Mr. O'Haver,

The order of business was suspended.

Mr. O'Haver then offered the following resolution :

*Resolved*, That the use of this Hall be tendered to Mr. C. B. Lemnaski, a Polish exile and patriot now in this city, for the purpose of delivering a lecture on the history and downfall of Poland, on to-morrow night.

Which was adopted.

On motion by Mr. Goodwin,

The order of business was suspended.

Mr. Goodwin then offered the following resolution :

*Resolved*, That when this House adjourns this evening, it adjourn to meet on Wednesday morning at 9 o'clock.

Which was not adopted.

On motion by Mr. Spencer,

The order of business was suspended.

Mr. Spencer introduced,

No. 319. A bill in relation to the surplus revenue and school

funds in the counties of Dearborn and Ohio, and declaratory of the meaning of the act in relation to loaning said funds ;

Which was read a first time and passed to a second reading.

On motion by Mr. Elder,

The order of business was suspended.

Mr. Elder offered the following resolution :

*Resolved*, That this House will, the Senate concurring, adjourn *sine die* on Monday the 14th of January.

On motion by Mr. Wilson,

The resolution was laid on the table.

On motion by Mr. Hunter,

The order of business was suspended.

Mr. Hunter introduced,

No. 320. A bill for the relief of Hezekiah Hinkston, heir at law of David Hinkston, late of Marion county, deceased ;

Which was read a first time and passed to a second reading.

On motion by Mr. Brown of Shelby,

The order of business was suspended.

Mr. Brown of Shelby, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of Alfred Scull and others, on a certain subject therein named, have had the subject under consideration, and directed me to report the following bill, and recommend its passage :

No. 321. A bill declaring a certain stream therein named a public highway, in the county of Shelby ;

Which was read a first time and passed to a second reading.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House without amendment :

No. 148. An act to extend the provisions of an act therein named to the counties of Huntington and Whitley ;

On motion by Mr. Landiss,

The order of business was suspended.

Mr. Landiss introduced

No. 322. A bill to provide for the election of township assessors in the county of Crawford ;

Which was read a first time, and passed to a second reading.

On motion by Mr. Bowen,

The order of business was suspended.

Mr. Bowen introduced

No. 323. A bill to amend the road law as so far as Jefferson county is concerned ;

Which was read a first time and passed to a second reading.

On motion by Mr. Miller of Marshall and Fulton,

The order of business was suspended.

Mr. Miller introduced

No. 324. A bill to amend an act extending the jurisdiction of justices of the peace, approved February 16, 1846 ; and also to limit the sessions of the Grand Jury in Fulton county :

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

On motion of Mr. Brown of Shelby,

The House adjourned to meet to-morrow morning at 9 o'clock.

## TUESDAY MORNING, 9 O'CLOCK, JANUARY 1, 1850.

The House met pursuant to adjournment.

The journal of the preceding day was read.

On motion by Mr. Hillis,

The House added Messrs. Bird, Holcomb, Landiss, Wright, Farnesley, Wright, Dougherty of Elkhart, Dodd, Prather, and Whinery to the select committee to whom was referred House bill No. 229, a bill to incorporate the Indianapolis and Cincinnati Railroad company.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled :

No. 127. An act for the benefit of the Clark County Central Plank Road Company ;

No. 161. An act to reduce the number of township trustees in the county of Grant ;

No. 156. An act amend an act therein named ;

No. 108. An act for the relief of William Sloan and Richard Sloan.

Whereupon, the Speaker signed the same.



*Ordered*, That the Clerk inform the Senate thereof.

Mr. May, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House and find the same correctly enrolled, to-wit :

No. 72. An act to prevent the stretching of seines across Laughery creek and other streams in the State of Indiana ;

No. 61. An act repealing an act therein named ;

No. 247. An act to legalize the acts of the several Clerks of the Martin Circuit Court heretofore done in relation to the duties of the office of County Auditor of the county of Martin, and for other purposes therein named ;

No. 148. An act to extend the provisions of an act therein named to the counties of Huntington and Whitley ;

Whereupon the Speaker signed the same.

*Ordered*. That the Clerk inform the Senate thereof.

#### PETITIONS, &C., PRESENTED.

By Mr. Essex,

The petition of citizens of Newburn, relative to attaching certain territory to the corporation of said town ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Essex, Hart, and Patterson.

By Mr. Lank,

Three petitions of citizens of Randolph county, on the subject of jurisdiction of justices of the peace ;

Which,

On motion,

Was referred to the select committee on that subject.

By Mr. Warriner,

Two temperance memorials of citizens of Lake county ;

Which,

On motion,

Was referred to the select committee on that subject.

Mr. Hillis moved to suspend the order of business ;

Which motion did not prevail.

#### REPORTS FROM COMMITTEES.

Mr. Elder, from the committee of ways and means, made the following report :

MR. SPEAKER :

The committee of ways and means, to whom was referred "an act in relation to Agricultural Societies," have had the same under consideration, and a majority of said committee have directed me to report that they deem it inexpedient to legislate on the subject at this time, and ask to be discharged from its further consideration.

Which report was concurred in.

Mr. Brown of Shelby, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House No. 124, have according to direction had the same under consideration, and directed me to report that in the opinion of said committee it is inexpedient to legislate on that subject, and ask to be discharged from the consideration of said bill.

Which report was concurred in.

Mr. Cravens, chairman of the committee on military affairs, made the following report :

MR. SPEAKER :

The standing committee so whom was referred No. 85 of the House, a joint resolution in relation to the officers and soldiers of the war of 1812, have had the same under consideration, and have directed me to report the joint resolution back to the House and recommend its passage.

Which bill was ordered to be engrossed.

Mr. Cravens, chairman of the committee on military affairs, made the following report :

MR. SPEAKER :

The standing committee to whom was referred No. 139, a joint resolution on the subject of the African slave trade, have had the same under consideration, and have instructed me to report the joint resolution back to the House, without amendment, and recommend its passage.

On motion by Mr. Brown of Shelby,

The joint resolution was referred to the select committee on the same subject.

Mr. Goodwin, from the committee on roads, made the following report :

MR. SPEAKER :

The standing committee on roads to whom was referred bill of the House No. 149, have had the same under consideration, and have instructed me to report the same back to the House, without amendment, and to respectfully recommend its passage.

Mr. Murray moved to strike out "inspector and judges," in the latter part of the first section of said bill.

On motion by Mr. Dougherty of Boone,

The bill and pending amendments were laid on the table.

Mr. Wilson, chairman of the committee on canals and internal improvements, made the following report :

MR. SPEAKER :

The committee on canals and internal improvements, to whom was referred bill No. 14, have had the same under consideration, and have directed me to report that in consequence of subsequent action of the House, legislation on that subject is unnecessary; they have also directed me to report that legislation on the subject of the prayer of William Sturgeon and others is inexpedient.

Which report was concurred in.

Mr. Bird, from the committee on canals and internal improvements, made the following report :

MR. SPEAKER :

The committee on canals and internal improvements, to whom was referred a joint resolution of the House No. 47, have had the same under consideration, and beg leave to refer it back to the House and ask its reference to the committee on benevolent and scientific institutions.

Which report was concurred in, and said joint resolution so referred.

Mr. Hillis, from the committee on canals and internal improvements, made the following report :

MR. SPEAKER :

I am directed by the committee on canals and internal improvements, to whom was referred that portion of the Governor's Message which relates to the canal debt, to report the same back to the House, and that in the opinion of the committee it is inexpedient to legislate on the subject at the present time.

Which report was concurred in.

Mr. Edwards, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the communication of the Auditor of State, relative to the increase of stock in the Madison and Indianapolis Railroad Company made during the last spring by the directors of said company, have had the same under consideration, and instructed me to report the same back to the House, with the following bill, and recommend its passage.

No. 325. A bill to confirm the sale of the State's right to take new stock in the Madison and Indianapolis Railroad Company, and to prevent said company from making any increase in the stock in said company, so long as the State has any interest in said road;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee on the judiciary.

Mr. Spencer, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was re-committed House bill No. 235, have considered the same, and directed me to report said bill back to this House with the following amendment, and as amended to recommend its passage.

Strike out all after the enacting clause, and in its place insert the following :

That every person who shall wilfully and maliciously attempt to burn or set fire to any of the buildings, structures, or property enumerated and specified in the 25th section of said chapter 53 of the Revised Statutes of 1843, shall be deemed guilty of arson.

Sec. 2. Every person who shall aid and abet in the commission of any crime or offence specified in this act, or in the said 53d chapter of the Revised Statutes of 1843, or shall counsel, encourage, hire, command, or otherwise procure such an offence to be committed in some county or counties other than that in which such person shall be when he or she shall aid, abet, counsel, encourage, hire, command, or otherwise procure such offence to be committed, every such person shall suffer the same penalties and punishment which are by law prescribed for the punishment of the principal offender, and the Circuit Court of the county where the principal offender shall be committed, shall have full and complete jurisdiction to indict, try, convict, and punish such person so aiding, abetting, counselling,

encouraging, hiring, commanding, or otherwise procuring such principal offence to be committed.

Sec. 6. This act shall be in force from and after its passage.

Which amendments were concurred in, and the bill as amended was ordered to be engrossed.

Mr. Robinson of Decatur, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to which was referred bill of the House No. 309, have had the same under consideration, and have made two amendments thereto, in which they ask the concurrence of the House, and, when so amended, recommend its passage :

#### 1st Amendment.

Strike out the fourth section and insert the following :

It shall be lawful for said company to construct a branch of their said Railroad from Greensburgh in Decatur county, by the way of St. Omer, Shelbyville, and Pleasant View, to Indianapolis in Marion county.

It shall also be lawful for said company to construct a branch of said Railroad from Lawrenceburgh in Dearborn county to the state line of said State of Indiana, in the direction of Cincinnati; or to the city of Cincinnati, if the right of way can be obtained for that purpose; or to make any arrangement with any other company or corporation for the continuation of said Railroad from Lawrenceburgh to Cincinnati, that may be for the interest of said company. And the said company is hereby authorized to increase its capital stock to any amount necessary for the prosecution of the aforesaid extensions.

#### 2d Amendment.

Add the following section :

It shall be allowable for the cars of any of the railroads centreing at Shelbyville to run over the track of said Railroad from Shelbyville to Lawrenceburgh or to Cincinnati, the companies owning the same paying such compensation therefor as shall be agreed upon between the parties, or if such parties cannot agree, the amount of compensation shall be determined by three disinterested arbitrators, one being selected by each party, and they two selecting a third; and their decision shall be binding between the parties.

Which amendments were concurred in.

On motion by Mr. Hillis,

The bill was referred to the committee on corporations.

Mr. Mickle, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred a petition of citizens of Adams county, asking for the repeal of part of the 16th Section of Chapter XII of the Revised Statutes of 1843, have had that subject under consideration, and direct me to report the following bill, and recommend its passage :

No. 326. A bill to repeal part of Section 16 of Chapter XII of the Revised Statutes of 1843.

Which was read a first time, and passed to a second reading.  
Mr. Hill, from a select committee, made the following report :

MR. SPEAKER :

The committee, to whom was referred the petition of sundry citizens of Ripley township in the county of Rush, on the subject of the sale of spirituous liquors, have had the same under consideration, and instructed me to report the following bill, and respectfully ask its passage :

No. 327. A bill relative to the sale of spirituous liquors in Ripley township, in the county of Rush ;

Which was read a first time and passed to a second reading.  
Mr. Brown of Randolph, from a select committee, made the following report :

MR. SPEAKER :

The select committee of one from each Judicial Circuit, to whom was referred bill of the House No. 7, exempting homesteads from execution and sale, have had the same under consideration, and hereby report the same back to the House with the following amendments, and respectfully recommend its passage :

Amend by striking out all after the enacting clause, and inserting in lieu thereof the following :

That a homestead consisting of any quantity of land not exceeding forty acres, and the dwelling house thereon, and its appurtenances, to be selected by the owner thereof, and not included in the recorded plat of any city, town, or village ; or instead thereof, at the option of the owner, a quantity of land not exceeding in amount one-fourth of an acre, being within the recorded plat of any city, town, or village, and the dwelling house thereon, and its appurtenances, owned and occupied by any resident householder of this State, shall not be subject to forced sale on execution, or any other



final process from any court, for any debt or liability contracted after the fourth day of July, 1850. *Provided*, That the value of such exempted homestead, or town lot and dwelling thereon, shall in no case exceed the sum of five hundred dollars.

Sec. 2. Such exemption shall not affect any laborer's, mechanic's, or other lien lawfully obtained, nor extend to any mortgage thereon, but such mortgage or other alienation of such land by the owner, if a married man, shall not be valid without the signature of the wife to the same.

Sec. 3. Whenever a levy shall be made upon the lands or tenements of any resident householder, whose homestead has not been selected and set apart by metes and bounds, such householder may notify the officer, at the time of making the levy of what he regards as his homestead, with a description thereof within the limits above prescribed, and the remainder alone shall be subject to sale under such levy.

Sec. 4. If the plaintiff in execution shall be dissatisfied with the quantity of land selected and set apart as aforesaid, the officer making such levy shall cause the same to be surveyed, beginning at a point to be designated by the owner, and set off in a competent form, including the dwelling house and its appurtenances, the amount specified in the first section of this act, and the expenses of said survey shall be chargeable on the execution, and collected thereon, if it shall appear after such survey that the owner of said land did not correctly state his metes and bounds; otherwise, the expenses of such survey shall be paid by the person directing the same.

Sec. 5. After the survey shall have been made, the officer making the levy may sell the property levied upon, and not included in the set off, in the same manner as provided in other cases for the sale of real estate on execution, and in giving a deed of the same, he may describe it according to the original levy, excepting therefrom by metes and bounds according to the certificates of survey, the quantity set off as aforesaid.

Sec. 6. Any resident householder owning and occupying any dwelling house or lands not his own, which land he shall be rightfully in possession of by lease or otherwise, and claiming such house as his homestead, shall be entitled to the exemption of such house.

Sec. 7. Nothing in this act shall be considered as exempting any real estate from taxation or sale for taxes.

Sec. 8. After the taking effect of this act, all property, both real and personal, levied upon by virtue of any execution, order, or decree of any court, shall sell for any sum the same may bring not less than one-half the appraised value thereof, said property to be appraised in the same manner now provided for appraising property under execution; and all laws contravening the provisions of this act are hereby repealed.

Mr. Patterson moved to lay the bill and pending amendment on the table, to be made the special order of the day for Saturday next, at 10 o'clock, A. M.

Which motion prevailed.

Mr. Shepard moved to order 100 copies of the bill to be printed ;

Which motion did not prevail.

Mr. Holcomb, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Joshua Kitchen, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 328. A bill for the relief of Nancy Kitchen ;

Which was read a first time and passed to a second reading.

#### RESOLUTIONS.

When the House adjourned yesterday, at 12 o'clock, M., the following resolution was under consideration :

*Resolved*, That a select committee of five be appointed to inquire whether the interest of the State would not be promoted by passing an act letting out the State Printing, Binding, Stationery, &c., to the lowest responsible bidder.

The question being,

On the the motion of Mr. Mickle to amend by striking out the word "printing ;"

The ayes and noes were demanded by Messrs. Mickle and Cotton.

Mr. Mickle then withdrew his motion to strike out the word "printing."

Mr. Elder moved to amend by adding :

"And also inquire into the expediency of letting out the offices of Governor, State Auditor, Treasurer, and all other public offices to the lowest bidder."

Mr. Wilson moved to lay the amenement upon the table.

The ayes and noes being demanded by Messrs. Wilson and Hillis,

*Those who voted in the affirmative are,*

Messrs. Allen, Alley, Athon, Bowen, Brown of Randolph, Burnet, Butler, Byers, Caldwell, Campbell, Carnahan of Fountain, Cole, Conaway, Connor, Cotton, Cravens, Defrees, Dougherty of Boone,

Dougherty of Elkhart, Edwards, Essex, Farnesly, Gentry, Gessie, Goodwin, Graves, Hart, Harvey, Hicks, Hill, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Lane, Lank, Leviston, May, Miller of M. and F., Miller of O., Millikin, Morrison, Murray, Niblack, O'Neal, Orr, Patterson, Richardson, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Salter, Shelby, Shepard, Stewart, Stone, Stoops, Summers, Thom, Thomas, Tinbrook, Warriner, Watkins, Weaver, Weir, Wilson, Whinery, Wright, Yocum, and Mr. Speaker—77.

*Those who voted in the negative are,*

Messrs. Barker, Brown of Shelby, Carnahan of Posey, Dodd, Elder, Ellis, Greathouse, Harney, Landiss, Menaugh, Mickle, O'Haver, Reed, Sherrod, Spencer, Wells, and Withers—17.

So the amendment was laid on the table.

Mr. Cravens moved to refer the resolution to the committee on ways and means.

Mr. Wilson offered the following :

WHEREAS, A fair competition always insures economy and accommodation : AND WHEREAS, the public printing of the State amounts to a sum sufficient to elicit bids for the same, from printers of every portion of the State : AND WHEREAS, Also, justice alike to them, as well as a strict observance of economy fully indicates the course the Legislature should pursue ; therefore,

*Resolved*, That a select committee be appointed, who shall report to this House, a bill to provide for the letting out the public printing, binding, and stationery, &c. of the State, to the lowest responsible bidder.

The question then being,

On referring the resolution to the committee on ways and means ;  
Was decided in the affirmative.

Mr. Athon moved that the House adjourn ;

Which motion did not prevail.

On motion by Mr. Niblack,

*Resolved*, That the committee on benevolent and scientific institutions be instructed to inquire into the expediency of providing for a system of registration laws, by which there shall be kept a register of the births, marriages, and deaths of the inhabitants of the several counties of this State, and to report by bill or otherwise.

On motion by Mr. Niblack,

*Resolved*, That when this House adjourns to-day, it will adjourn until to-morrow morning, at 9 o'clock.

Mr. Hunter offered the following resolution :

*Resolved*, That the committee on ways and means inquire whether any, and if any, what amount is due to Albert S. White and William W. Wick for their services, as attorneys, in resisting the claim against the State of Jesse and Elias J. Beard, before a commissioner, the court of common pleas of Tippecanoe county, unsuccessfully, and with final success before the supreme court, whereby the State was saved the sum of fifteen thousand dollars, or thereabouts ; and that said committee ascertain the extent and character of said claim, by inquiries of said White and Wick, the Governor, Auditor, and Treasurer, and the Judges of the supreme court.

Mr. Mickle moved to amend the resolution by substituting the committee on claims, for ways and means ;

Which motion prevailed.

The resolution was then adopted.

On motion of Mr. Carnahan of Fountain,

*Resolved*, That the committee on corporations inquire into the expediency of enacting a law to provide for the creation and government of municipal corporations by general and uniform laws, under which, and not otherwise, all corporations shall be formed. And if such law may be deemed expedient, said committee is hereby instructed to report a bill providing for the formation, organization, and government of all such corporations.

Mr. Cravens offered the following resolution :

*Resolved*, That the committee on ways and means be instructed to inquire into the expediency of making a reasonable allowance to tax payers who may pay their taxes into the Treasury in time to be available in paying the January instalment on our State debt, by which means we may supercede the necessity of borrowing money for that purpose.

Which was not adopted.

On motion by Mr. Hunter,

*Resolved*, That the committee on agriculture be instructed to inquire into the expediency of reporting a bill establishing a State agricultural board.

On motion by Mr. Connor,

*Resolved*, That the select committee to whom is referred the petitions and memorials on the subject of temperance, be instructed to inquire into the expediency of licensing retailers of spirituous and fermented liquors, under the same restrictions and regulations that are required of licensed tavern keepers, by the 2d section of an act entitled, "an act to license and regulate taverns and groceries," approved February 3d, 1832, so as to embrace the following provisions, viz :

1st. That the bonds be given in the name of the board doing

county business, for the use of common schools in the county, and the sum paid for the license, be paid into the common school fund of the county, and allowing all incorporated cities and towns the privilege of assessing the same amount as that fixed by the board doing county business.

2d. That all licensed tavern and grocery keepers be required to take care of all intoxicated persons, or, on their failure to do so, any person may take care of such intoxicated person, and be entitled to recover of the licensed tavern and grocery keepers, who sold such person any spirituous or fermented liquors, the sum of —, making such intoxicated person a competent witness, &c.

Mr. May, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled, to-wit :

No. 105. An act to vacate the alleys of the town of Cumberland.

No. 107. An act for the relief of Henry Berst and Titus G. Berst.

No. 78. An act to legalize the settlement of the Auditor and Treasurer of Kosciusko county, for the financial year ending June, 1849, and for other purposes.

No. 131. An act to authorize William McDowell of the county of Adams, to erect a mill dam across the Wabash river, in said county of Adams.

No. 118. An act in relation to public roads and highways, in Bartholomew county.

No. 28. An act to revise an act, approved January 13, 1845, to compel speculators to pay a road tax equal to that paid by actual settlers.

No. 104. An act to locate a State road in the counties of Howard and Miami.

Whereupon, the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Wilson,

The House adjourned to meet to-morrow at 9 o'clock, A. M.

WEDNESDAY MORNING, 9 O'CLOCK, JANUARY 2, 1850.

The House met.

The journal of the preceding day was read.

Mr. May, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill, with the engrossed bill of the House, and find the same correctly enrolled to-wit :

No. 24. An act to incorporate the American Live Stock Insurance Company.

No. 77. An act to amend the act to establish a free turnpike road in Adams county, approved January 13, 1845.

Whereupon, the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

PETITIONS, &C., PRESENTED.

By the Speaker,

The petition of sundry citizens, relative to the boundary between the counties of Washington and Clark ;

Which,

On motion by Mr. Cravens,

Was referred to a select committee consisting of Messrs. Cravens, Menaugh, Athon, Caldwell, and Morrison.

By Mr. O'Neal,

The petition of sundry citizens of Tippecanoe county, relative to the change of a State road ;

Which,

On motion by Mr. O'Neal,

Was referred to a select committee, consisting of Messrs. Campbell, Harney, and Patterson.

Mr. Prather moved to suspend the order of business, and take from the table House bill No. 59.

Which motion did not prevail.

By Mr. Huey,



The remonstrance of citizens of Jay county, against the ultra movements of the advocates of total abstinence ;

Which,

On motion,

Was referred to the select committee on the subject of temperance.

By Mr. Ross,

The petition of sundry citizens of Franklin county, relative to a charter for a turnpike road in said county ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Ross, Cleaver, and Byers.

By Mr. Cleaver,

The petition of sundry citizens of Franklin, relative to a charter for a turnpike road in said county ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Ross, Cleaver, and Byers.

By Mr. Wells,

The petition of sundry citizens of Brownstown, relative to restricting the sale of ardent spirits in said town ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Wells, Menaugh, Morrison, Hicks, and Humphreys.

By Mr. Murray,

The petition of citizens of Cass and Miami counties, praying for pay for improvements on the 16th section of township 25, range 3 east, to the settlers ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Murray, Cole, and Dodd.

By Mr. Weaver,

The petition of sundry citizens of township 26, range 1 west, in Carroll county, to pass an act for the sale of section 16, in the said township, in the same manner as if a majority of the voters had voted for the sale of the same ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Weaver, Hill, and Warriner.

By Mr. Graves,

The petition of sundry citizens for a state road from Warsaw to Plymouth ;

Which,

On motion,

Was referred to the committee on roads.

By Mr. Graves,

The petition of the inhabitants of district No. 4, township 31 north, of range 6 east, for the power of levying a tax to build a school house ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Graves, Robinson of Laporte, and Millikan.

By Mr. Niblack,

Two petitions from sundry citizens of Martin county, praying for the opening of a state road leading from Dover, Hill in Martin county, by way of the Sulphur Creek Bridge, the nearest and best way to Bloomington, in Monroe county ;

Which,

On motion,

Were referred to a select committee, consisting of Messrs. Niblack, Carr, and Gentry.

By Mr. Salter,

A petition from sundry citizens of Jasper county, for a charter to construct a Railroad from Lafayette northwesterly to intersect the Railroad making around the southern part of Lake Michigan, from Michigan City to Chicago ;

Also, the petition of citizens of Jasper county, on the same subject ;

Which,

On motion,

Were referred to a select committee, consisting of

Messrs. Salter, Miller of M. and F., Patterson, Robinson of L., and Millikan.

#### REPORTS FROM COMMITTEES.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 268, entitled "an act to encourage the construction of rail and plank roads," have had said bill under consideration, and have directed me to report the same back to the House with the following amendment, and when said amendment is adopted, recommend the passage of the bill.

Amend as follows :

Strike out all after the enacting clause, and insert the following :

That it shall and may be lawful, for any rail road or plank road

company in this State, to aid in the construction or use of any other rail road or plank road, connecting or to be connected therewith, by taking and holding stock in said road or roads so to be constructed or used with the right to sell and dispose of the same at pleasure, or lending such road or roads money or credit, or by furnishing materials or engines and cars therefor, and generally to do and perform every act, matter, and thing in and about the premises, and in and about any contract in relation thereto, which a natural person may by law now do.

Sec. 2. That any rail road company or plank road company in this State may adopt this act, and thereafter the same shall be and remain a part of its charter.

Sec. 3. This act to be in force from and after its passage.

Which amendment was adopted.

The bill as amended was ordered to be engrossed.

Mr. Spencer, from a select committee, made the following report:

MR. SPEAKER :

The committee on the judiciary, to whom was referred a joint resolution in relation to refunding interest to the borrowers of the Sinking Fund, have had the same under consideration, and are of the opinion that it is inexpedient to legislate upon the subject, and ask to be discharged from a further consideration of the subject.

Which report was concurred in.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of citizens of the county of Adams, relative to the draining of wet lands, have had the same under consideration, and instructed me to report the following bill, and to recommend its passage :

No. 329. A bill to provide for draining wet lands in the county of Adams ;

Which was read a first time and passed to a second reading.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of Ann Blythestone, have had the same under consideration, and have instructed me to report the accompanying bill, and respectfully recommend its passage :

No. 330. A bill for the relief of Ann Blythestone, of the county of Allen ;

Which was read a first time and passed to a second reading.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of Leland H. Stocker and others, citizens of Steuben county, asking a repeal of certain laws, so far as the same extend to Steuben county, have had the same under consideration, and recommend the passage of the accompanying bill :

No. 331. A bill to repeal a certain act therein named, so far as it relates to the county of Steuben ;

Which was read a first time and passed to a second reading.

Mr. Hunter, chairman of the committee on the affairs of the town of Indianapolis, made the following report :

MR. SPEAKER :

The committee on the affairs of the town of Indianapolis, to whom was referred the petition of sundry citizens of the City of Indianapolis, praying the passage of a law directing the streets and alleys of said city to be opened, have had the same under consideration, and have directed me to report the accompanying bill, and recommend its passage :

No. 332. A bill providing for the opening of streets and alleys in the City of Indianapolis ;

Which was read a first and second times, the rule being suspended therefor, and ordered to be engrossed.

Mr. Hart, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred the petition of Gabriel Swihart and others, for a State road in the counties of Wabash and Kosciusko, and also the remonstrance of citizens of Kosciusko and Wabash counties against said road, have had the same under consideration, and directed me to report, that in the opinion of the committee it is inexpedient to grant the prayer of said petitioners, and ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Dougherty of Elkhart, from the committee on canals and internal improvements, made the following report :

MR. SPEAKER :

The committee on canals and internal improvements, to whom was referred bill of the House, No. 116, fixing the salaries of the Trustees of the Wabash and Erie Canal, have had the same under consideration, and directed me to report it back to the House, and recommend that it be indefinitely postponed.

Which report was concurred in.

Mr. Elder, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill No. 10, of the House, concerning the repeal of the 251st section of article 10, chapter 40, being a repeal of that law which prevents negroes, mulattoes, and Indians testifying in the courts of this State, have had the same under consideration, and the majority of said committee have instructed me to report the same back to the House, and recommend its passage.

Your committee further report some of the reasons which presented themselves to their minds, inducing them to make the above recommendation.

They believe the law which prohibits colored persons from testifying in courts of justice, is a violation of the principle of "equal and exact justice to all men," upon which our laws are founded. Many cases of hardship and oppression arise under this law, not only to colored persons, but also to whites. It excludes from our courts the testimony of colored persons, except when persons of the same class are parties. A murder, or any other crime, may be committed, and credible colored persons, (for your committee believe there are such,) be the only persons cognizant of the facts, yet they are prohibited from testifying, and the guilty are permitted to go unwhipt of justice.

Suppose a ruffian should enter the house of one of our peaceable colored citizens, make a brutal assault upon his person, outrage his family, or plunder him of his property, what redress could he have, if not witnessed by white persons? His own family and his colored neighbors might witness the whole transaction, and they might be persons in whose testimony every reliance could be placed, yet, in the absence of a white witness, the perpetrator would go unmolested and unpunished. The same would be the result if the outrages were committed against the persons or property of any of our white citizens, if none witnessed their perpetration but persons of color.

Again—persons doing business may have in their employ colored persons, and they may be the only persons by whom important ac-

counts could be proven ; but they are excluded as witnesses because of their color, and thus worthy citizens may be deprived of their rights. Surely this is not right.

While we permit colored persons to hold property, and compel them to pay taxes, we certainly ought to protect them in the peaceable possession of their property, and secure their personal rights.

Your committee could instance many other cases than those named, where injustice and oppression would result from the present law, but they deem it unnecessary. They believe sufficient have been produced to convince the the House of its unjustness and the necessity for the passage of the bill herewith returned.

It may be urged as an objection against the passage of the bill, that it will open the doors of our courts to corruption, because a portion of our colored population are degraded and reckless, and could be induced to swear falsely. It should also be borne in mind, in this connection, that the court and jury are the sole judges of the credibility of witnesses, and that with the prejudices that exist against the colored race, their evidence would be scanned closely and more than due weight would not likely be given to their testimony—that the passage of this bill would only place them on an equal footing with the most abandoned white man. And your committee will here remark, that it would be hard to produce worse specimens of depravity, in the shape of negro witnesses, than is frequently brought forward among the whites.

Your committee are of the opinion that the enlightened spirit of the age demands the passage of this bill. They understand that in every free State, except Illinois, this State, and, perhaps, Iowa, colored persons are allowed to give their testimony in courts, the same as white persons. Our sister State of Ohio, last winter, wiped off this relic of barbarism from the statute books. Will not Indiana follow her example in this act of justice and reform ?

Mr. Brown of Shelby moved to indefinitely postpone the bill.

Mr. Mickle moved a call of the House.

Which motion prevailed.

On motion by Mr. Hunter,

Leave of absence was granted to Mr. Robson on account of ill-health.

On motion by Mr. Prather,

The absentees were sent for, viz :

Messrs. Butler, Cravens, Reed, Robinson of Decatur, and Stone.

On motion by Mr. Edwards,

The further call of the House was dispensed with.

The question then being on the indefinite postponement of House bill

No. 10. A bill to repeal the law rendering negroes and mulattoes incompetent to testify in courts of justice, where the State or white persons may be parties.

The ayes and noes being demanded by Messrs. Beard and Elder,



*Those who voted in the affirmative were,*

Messrs. Allen Alley, Athon, Barker, Bird, Bowen, Brown of Shelby, Byers, Caldwell, Carnahan of Posey, Cleaver, Conaway, Connor, Cotton, Cravens, Delavan, Dougherty of Boone, Edwards, Ellis, Essex, Farnesly, Gentry, Gessie, Goodwin, Greathouse, Harney, Hart, Hicks, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Knowlton, Landiss, Lane, Menaugh, Mickle, Miller of M. and F., Miller of Owen, Morrison, Niblack, O'Haver, Patterson, Prather, Reed, Richardson, Robinson of Decatur, Ross, Rush, Shepard, Sherrod, Spencer, Summers, Thomas, Watkins, Weaver, Wells, Weir, Wilson, Withers, Wright, Yocum, and Mr. Speaker—65.

*Those who voted in the negative were,*

Messrs. Beard, Brown of Randolph, Burnet, Butler, Campbell, Cole, Defrees, Dodd, Dougherty of Elkhart, Elder, Graves, Harvey, Hill, Keeney, Lank, Leviston, May, Millikin, O'Neal, Orr, Robinson of Laporte, Russell, Salter, Shelby, Stewart, Stone, Stoops, Thom, Tinbrook, Warriner, and Whinery—31.

So the bill was indefinitely postponed.

Mr. Humphreys, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of the town of Bloomfield, in the county of Green, and State of Indiana, have had the same under consideration, and have instructed me to report the following bill and recommend its passage :

No. 333. A bill to repeal an act entitled, "An act to incorporate the town of Bloomfield," approved, February 2, 1837 ;

Which was read a first time and passed to a second reading.

Mr. Delavan, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition of sundry citizens of Morgan county, praying to declare a certain road in said county a State road, have had the subject under consideration, and directed me to report the following bill and recommend its passage :

No. 334. A bill declaring a certain road in Morgan county, a State road ;

Which was read a first time and passed to a second reading.

Mr. Sherrod, from a select committee, made the following report :

MR. SPEAKER :

The select committ to whom was referred House bill No. 1, to provide for holding a Convention of the people, to revise and amend the Constitution of this State, have had the same under consideration, and have directed me to report the same back to the House, with the following amendments, and when so amended, respectfully recommend its passage :

1st. Strike out the 5th line of section first, and insert the following :

“On the first Monday of August next.”

2d. Strike out the 9th line of section two and insert the following :

“Any person eligible to a seat in the General Assembly shall be eligible to a seat in said Convention.”

3d. 9th Section.—Strike out the fourth line of section nine and insert the following :

“The Convention to meet on the first Monday of October next.”

4th. Strike out the 15th section and insert the following :

“The Convention shall determine the time and manner in which the Constitution shall be submitted to the people for their adoption.”

5th Amendment. Strike out last section.

On motion by Mr. Orr,

The House proceeded to the consideration of the amendments proposed by the committee, separately.

On motion by Mr. Alley,

The first amendment was concurred in.

Mr. Dodd moved to reconsider the vote on the adoption of the first amendment ;

Which motion did not prevail.

Mr. Shepard moved to lay the bill and amendments on the table, and make them the special order of the day for Monday next ;

Which motion did not prevail.

Mr. Orr moved to concur in the second amendment, with the following amendment :

“Except members of this present General Assembly.”

On motion by Mr. Wilson,

The House adjourned to meet at 2 o'clock, P. M.

*Two o'clock, P. M.*

The House met.

On motion by Mr. Edwards,  
The order of business was suspended.

On motion by Mr. Edwards,

*Resolved*, That the select committee to whom was recommitted bill of the House, No. 229, are hereby discharged from the further consideration of said bill, and are directed to return the same to this House for action, and that it be made the special order of the day for to-morrow at 2 o'clock, P. M.

On motion by Mr. Robinson of Decatur,  
The order of business was suspended.

Mr. Robinson of Decatur offered the following resolution :

*Resolved*, That the committee on corporations be required to report to this House, to-morrow morning, House bill No. 309, an act to amend the charter of the Rushville and Lawrenceburgh Railroad Company.

Which was not adopted.

Mr. Graves moved to suspend the order of business for the purpose of making a report ;

Which motion did not prevail.

#### ORDERS OF THE DAY.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill thereof :

No. 152. An act to incorporate the town of Hartsville, in Bartholomew county ;

No. 177. A bill to amend the charter of the Crawfordsville Institute ;

In which the concurrence of the House is respectfully requested.

Which Senate bills, contained in the foregoing message,  
Were each read a first time and passed to a second reading.

#### SENATE BILLS ON SECOND READING.

No. 7. A bill to amend an act entitled "an act to incorporate the Milton and Waterloo Turnpike company ;

Was read a second time, and

On motion by Mr. Dougherty of Boone,  
Referred to the committee on corporations.

No. 42. A bill to incorporate the Fort Wayne Fire and Marine Insurance Company ;

Was read a second time.

Mr. Brown of Randolph moved to refer the bill to the committee on corporations ;

Which motion did not prevail.

The bill was ordered to a third reading.

No. 18. A bill to incorporate the Union Turnpike company ;

Was read a second time and ordered to a third reading.

No. 76. A joint resolution on the subject of the Michigan City Harbor ;

Was read a second time and ordered to a third reading.

No. 78. A bill providing for changes of venue in Probate courts of this State ;

Was read a second time, and

On motion by Mr. Dougherty of Boone,  
Referred to the committee on the judiciary.

On motion by Mr. Weir,

The order of business was suspended.

Mr. Weir offered the following preamble and resolution :

WHEREAS, The Superintendent of the Deaf and Dumb Asylum intends giving an exhibition this evening at 7 o'clock in the Hall of this House for the especial benefit and information of the members of this General Assembly ; therefore

*Resolved*, That when the House adjourns this evening it adjourns to meet at 7 o'clock, and that the Senate be informed thereof.

Mr. Salter moved to strike out all after the resolving clause and insert :

That no person shall be admitted to the Deaf and Dumb exhibition, this evening, unless such person be attended by a member of this General Assembly.

Mr. Hicks moved to lay the resolution and pending amendment on the table ;

Which motion prevailed.

The following message was received from the Governor, by Mr. Tarkington, the Executive Messenger :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills :

No. 54. An act to amend an act entitled "an act requiring the Supervisors of roads in Sullivan county to make report at the March

term in each year and for other purposes," approved January 26th, 1847;

No. 130. An act to revive and amend an act entitled "an act to authorize the election of a school commissioner in township 9, range 1 west, in Franklin county ;"

No. 158. An act to provide for the trial of criminal causes in Marion county ;

No. 142. An act granting the right of way through the county of Vermillion to the Danville and Georgetown Plank Road Company ;

No. 127. An act for the benefit of the Clark County Central Plank Road Company ;

No. 156. An act to amend an act therein named ;

No. 161. An act to reduce the number of township trustees in the county of Grant ;

No. 148. An act to extend the provisions of an act therein named to the counties of Huntington and Whitley ;

No. 72. An act to prevent the stretching of seines across Laughery creek and other streams in the State of Indiana ;

No. 61. An act repealing an act therein named ;

No. 247. An act to legalize the acts of the several Clerks of the Martin Circuit Court heretofore done in relation to the duties of the office of County Auditor of the county of Martin, and for other purposes therein named ;

No. 28. An act to revive an act approved January 13th, 1845, to compel speculators to pay a road tax equal to that paid by actual settlers ;

No. 118. An act in relation to public roads and highways in Bartholomew county ;

No. 131. An act to authorize William McDowell of the county of Adams to erect a mill-dam across the Wabash river in said county of Adams ;

No. 105. An act to vacate the alleys of the town of Cumberland ;

No. 104. An act to locate a State road in the counties of Howard and Miami ;

No. 107. An act for the relief of Henry Berst and Titus G. Berst ;

No. 78. An act to legalize the settlement of the Auditor and Treasurer of Kosciusko county for the financial year ending June 1849, and for other purposes ;

No. 108. An act for the relief of William Sloan and Richard Sloan ;

No. 24. An act to incorporate the American Live Stock Insurance Company ;

No. 77. An act to amend an act to establish a free turnpike road in Adams county, approved January 13, 1845 ;

All of which originated in the House of Representatives.

Mr. Wright moved to reconsider the vote on the adoption of the  
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resolution offered by Mr. Edwards, directing the select committee to whom was referred House bill No. 229 to return the same to the House.

Mr. Hillis moved a call of the House ;

Which motion prevailed.

After spending some time in the call, all the members of the House, except those previously excused, answered to their names.

On motion,

A further call of the House was dispensed with.

The question being,

On reconsidering the vote,

The ayes and noes being demanded by Messrs. Russel and Burnet :

*Those who voted in the affirmative are,*

Messrs. Athon, Barker, Beard, Bird, Bowen, Brown of Shelby, Butler, Byers, Caldwell, Cleaver, Cole, Conaway, Connor, Cravens, Defrees, Dodd, Dougherty of Elkhart, Elder, Essex, Farnesley, Gentry, Goodwin, Graves, Greathouse, Harney, Hart, Hill, Hillis, Holcomb, Humphreys, Keeney, Knowlton, Landiss, Menaugh, Miller of Marshall and Fulton, Miller of Owen, Millikin, Morrison, Murray, Niblack, O'Haver, Prather, Robinson of Decatur, Robinson of Laporte, Shelby, Shepard, Sherrod, Spencer, Stewart, Summers, Thom, Thomas, Warriner, Watkins, Weaver, Wells, Weir, Wilson, Withers, Wright, and Mr. Speaker—61.

*Those who voted in the negative are,*

Messrs. Allen, Alley, Brown of Randolph, Burnet, Campbell, Carnahan of Fountain, Carnahan of Posey, Cotton, Delavan, Dougherty of Boone, Edwards, Ellis, Gessie, Harvey, Hicks, Huey, Hunter, Johnson, Lane, Lank, Leviston, May, Mickle, O'Neal, Orr, Patterson, Reed, Richardson, Ross, Rush, Russell, Salter, Stone, Stoops, Tinbrook, Whinery, and Yocum—37.

So the vote on adopting said resolution was reconsidered.

Mr. Niblack moved to lay the resolution on the table ;

Which motion prevailed.

Mr. Edwards moved to add Messrs. Orr, Carnahan of F., Gessie, Lank, Yocum, and Ross, to the select committee to which was referred bill of the House No. 229.

Mr. Hillis moved to lay the motion upon the table ;

Which motion prevailed.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representa-



tives, that the Senate have reciprocated the resolution of the House providing for the election of a State Printer on Thursday next, at 10 o'clock, A. M.

On motion by Mr. Brown of Shelby,  
The order of business was suspended.

Mr. Brown of Shelby offered the following resolution :

*Resolved*, That the use of this Hall be tendered to the Superintendent of the Deaf and Dumb Asylum, this evening, at half past six o'clock, and that the door keepers be instructed to close the doors against all persons except members and officers of the Senate and House of Representatives, and students and officers of said Asylum.

Mr. Summers moved to amend the resolution, by inserting in the proper place—

“And such persons from a distance as may be invited by members ;”

Which motion did not prevail.

Mr. Salter moved to amend by inserting in the proper place—

“That the Doorkeeper be requested to admit no person to the exhibition of the Deaf and Dumb to take place in the Representatives’ Hall this evening, unless the same be attended by a member of this Assembly ;”

Which motion did not prevail.

Mr. Johnson moved to amend the resolution, by allowing each member and officer one lady and no more.

Mr. Cravens moved to amend the amendment by striking out “one” and inserting “five ;”

Which motion did not prevail.

The question then recurring,

On the adoption of the amendment proposed by Mr. Johnson ;

Was decided in the affirmative.

Mr. Lane moved to lay the resolution on the table ;

Which motion did not prevail.

The question then recurring,

On the adoption of the resolution as amended ;

Was decided in the affirmative.

On motion by Mr. Wilson,

The House adjourned.



THURSDAY MORNING, 9 o'clock, JANUARY 3, 1850.

The House met.

The journal of the preceding day was read.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendment of the House to the engrossed amendment of the Senate to engrossed bill of the House

No. 20. An act for the improvement of highways in Boone county.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions of the House without amendment :

No. 111. A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana ;

No. 303. An act for the relief of Montgomery county.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House to the following engrossed bills of the Senate :

No. 5. An act defining the duties of auditor and treasurer of the county of Delaware ;

No. 22. An act to amend the charter of the Rushville and Shelbyville Railroad Company ;

No. 25. A bill to extend the time of holding the Circuit Courts in and for the county of Henry ;

No. 28. An act to regulate and change the mode of selecting petit jurors in Laporte county ;

No. 29. An act to amend "an act to incorporate the Central Plank Road Company ;"

No. 80. An act to extend the powers of the President and Trustees of the town of Columbus ;

No. 99. An act to amend the charter of the Indianapolis and Bellefontaine Railroad Company.

PETITIONS, &C., PRESENTED.

By Mr. Morrison,

The petition of citizens of the counties of Scott and Clark ;  
Which,

On motion,

Was referred to a select committee consisting of  
Messrs. Morrison, Thom, and Athon.

By Mr. Carnahan of Posey,

The petition of sundry citizens of Posey county, praying for the laying off of a new county ;

Which,

On motion,

Was referred to a select committee, consisting of  
Messrs. Carnahan of Posey, Greathouse, Warriner, Thomas, and Cravens.

By Mr. Miller, of Marshall and Fulton,

The petition of citizens of Fulton county, relative to the measure of coal, &c.;

Which,

On motion,

Was referred to a select committee, consisting of  
Messrs. Miller, of Marshall and Fulton, Leviston, and May.

By Mr. Cole,

The petition of citizens of Miami county, relative to the improvements of Zadock S. Smith on school lands ;

Which,

On motion,

Was referred to a select committee, consisting of  
Messrs. Cole, Huey, and Salter.

By Mr. Thom,

The petition of sundry citizens for a state road on the line dividing the counties of Clark and Jefferson, and also Clark and Scott ;

Which,

On motion,

Was referred to a select committee, consisting of  
Messrs. Morrison, Athon, and Thom.

By Mr. Athon,

The petition of sundry citizens, relative to the same subject ;

Which,

On motion,

Was referred to the same select committee.

By Mr. Hunter,  
The petition of Lucinda Foster, for a divorce ;  
Which,

On motion,  
Was referred to a select committee, consisting of  
Messrs. Hunter, Robson, and Elder.

By Mr. O'Neal,

The petition of sundry citizens of Tippecanoe and Montgomery counties, for a road from Concord, in Tippecanoe county, to Crawfordsville ;

Which,

On motion,  
Was referred to a select committee, consisting of  
Messrs. O'Neal, Shelby, Patterson, Harney, and Campbell.

By Mr. Alley,

The petition of sundry citizens of Hancock county, relative to a road ;

Which,

On motion,  
Was referred to the committee on roads.

By Mr. Byers,

The remonstrance of citizens of Clinton county, against the making certain amendments to the charter of the Delphi and Frankfort Plank Road Company ;

Which,

On motion,  
Was laid on the table.

By Mr. Alley,

The remonstrance of citizens of Hancock county, against the change of a certain road ;

Which,

On motion,  
Was referred to the committee on roads.

By Mr. Athon,

The temperance memorial of sundry citizens of Bethlehem, in Clark county ;

Which,

On motion,  
Was referred to the select committee on the same subject.

On motion by Mr. O'Haver,

The order of business was suspended.

Mr. O'Haver introduced,

No. 345. A bill providing for the removal of fences from canal lands ;

Which was read a first time and passed to a second reading.

On motion by Mr. Weir,

The order of business was suspended.

Mr. Weir introduced

No. 336. A bill to amend an act "entitled an act to provide for

the election of township assessors in the counties therein named, and defining their duties," approved January 27th, 1847 ;

Which was read a first time and passed to a second reading.

On motion by Mr. Goodwin,

The order of business was suspended.

Mr. Goodwin offered the following resolution :

*Resolved*, That the committee on ways and means to whom was referred the subject of letting out the State printing to the lowest responsible bidder, be instructed to report the same back to the House, *instantly* ;

Mr. Dodd moved a call of the House ;

Which motion did not prevail.

The question being,

On the adoption of the resolution ;

The ayes and noes being called for by Messrs. Mickle and Reed :

*Those who voted in the affirmative are,*

Messrs. Bowen, Burnet, Butler, Campbell, Carnahan of Fountain, Conner, Defrees, Edwards, Gessie, Goodwin, Graves, Hill, Keeney, Knowlton, Lane, Lank, Leviston, May, Miller of Marshall and Fulton, Miller of Owen, Millikin, Morrison, O'Neal, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Shelby, Shepard, Stewart, Summers, Thom, Tinbrook, Weir, Wilson, Whinery, and Wright—40.

*Those who voted in the negative are,*

Messrs. Allen, Alley, Athon, Barker, Beard, Bird, Brown of R., Brown of Shelby, Byers, Caldwell, Carnahan of Posey, Cleaver, Cole, Conaway, Cotton, Cravens, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Elder, Ellis, Essex, Farnesly, Gentry, Harney, Hart, Harvey, Hicks, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Landiss, Menaugh, Mickle, O'Haver, Patterson, Richardson, Ross, Salter, Sherrod, Spencer, Stoops, Thomas, Wariner, Watkins, Weaver, Wells, Withers, Yocum, and Mr. Speaker—54.

So the resolution was not adopted.

On motion by Mr. Dodd,

The order of business was suspended.

On motion by Mr. Dodd,

*Resolved*, That the Senate be invited to attend in the Hall of the House, *instantly*, for the purpose of proceeding to the election of a State Printer, and that seats be provided for their accommodation on the right of the Speaker's Chair.

The Senate then came into the Hall of the House, when both Branches of the General Assembly proceeded by joint *viva voce* vote to the election of State Printer, to fill the vacancy which will occur by the expiration of the term of service of the present incumbent.

*Those who voted for Jacob P. Chapman are,*

Messrs. Adams, Allen, Berry, Brugh, Buckles, Dawson, Eddy, English, Evans, Garver, Graham, Hardin, Huffstetter, James, Kinard, Lyon, Malott, Martin, Miller, Milliken, Morrison, Randall, Read of Clark, Reid of Union, Sleeth, Walker, Winstandley, Woods, Alley, Athon, Barker, Beard, Bird, Brown of R., Brown of S., Byers, Caldwell, Carnahan of Posey, Cleaver, Conaway, Cotton, Cravens, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Elder, Ellis, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Harvey, Hicks, Holcomb, Huey, Humphreys, Hunter, Johnson, Landis, Levis-ton, May, Menaugh, Mickle, Miller of Marshall and Fulton, Niblack O'Haver, Patterson, Richardson, Ross, Salter, Sherrod, Spencer, Stoops, Thomas, Warriner, Watkins, Weaver, Wells, Withers, Yocum, and Mr. Speaker—84.

*Those who voted for John D. Defrees are,*

Messrs. Cassatt, Conduit, Cornett, Day, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, McCarty, Montgomery, Odell, Porter, Rousseau, Teegarden, Bowen, Burnet, Butler, Campbell, Carnahan of Fountain, Cole, Conner, Defrees, Edwards, Gessie, Goodwin, Graves, Hill, Hillis, Keeney, Knowlton, Lank, Miller of Owen, Millikan, Morrison, Murray O'Neal, Robinson of Laporte, Rush, Russell, Shelby, Shepard, Stewart, Summers, Thom, Wilson, Whinery, and Wright—52.

*Those who voted for John R. Elder are,*

Messrs. Orr, Prather, Reed, Robinson of Decatur, of the House—4.

Mr. Tinbrook of the House voted for John S. Spann—1.

*Those who voted for giving the printing to the lowest bidder are,*

Messrs. Lane and Weir, of the House—2.

Jacob P. Chapman having received a majority of all the votes given, was declared duly elected State Printer for the State of Indiana, to serve as such for a term of three years, from and after the first day of August, one thousand eight hundred and fifty.

The Senate then retired to their Chamber.



Mr. Spencer moved to suspend the order of business ;

Which motion did not prevail.

Mr. Wilson moved to suspend the order of business ;

Which motion did not prevail.

#### REPORTS FROM COMMITTEES.

Mr. Dougherty of Boone, chairman of the committee on elections, made the following report .

MR. SPEAKER :

The standing committee on elections, to whom was referred the petition of sundry citizens of Boone county, praying the passage of a law, authorizing the establishment of an additional place of holding elections in Eagle township in said county, have had the same under consideration, and directed me to report the following bill, and recommend its passage :

No. 337. A bill to establish an additional place of holding elections in Eagle township in Boone county.

Which was read three several times, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred the report of the Auditor of State, with the accompanying papers, in relation to the claim of McGinley *vs.* the State, have had the same under consideration, and have instructed me to report that they are of opinion that the law regulating said case, amply provides for the payment of such costs as are allowed and named in the award, and therefore recommend the Auditor to audit the same ; the sum of five thousand and forty-three dollars having been (by virtue of the letter of attorney referred to) released to the State, they recommend properly authenticated claims for pay as arbitrators, &c., to the action of the committee of ways and means, and deeming further legislation unnecessary, ask to be discharged from any further consideration of the subject.

Which report was concurred in.

Mr. Athon, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The standing committee on claims, to whom was referred the petition of Isom S. Wright, James Jones, and John S. Townsend, of the county of Putnam, have had the same under consideration and have instructed me to make the following report, to-wit:—Whereas, the services claimed to have been rendered by petitioners for Company A, 1st Regiment Indiana Volunteers, belongs to the Quartermaster's Department of the United States; and whereas, the laws of this State have made no provision to pay claims accruing out of the transportation of volunteers from their homes to the place of rendezvous; therefore, they consider it inexpedient to legislate upon the subject, and ask to be discharged therefrom.

Which report was concurred in.

When the House adjourned yesterday at 12 o'clock, M., the amendments to House bill

No. 1. A bill to provide for holding a Convention of the people to revise and amend the Constitution of this State,

Reported by the select committee to which said bill was referred, were under consideration.

The House resumed the consideration of said amendments.

The question being on concurring in the second amendment of the committee, with an amendment proposed by the gentleman from Delaware.

Mr. Prather moved to lay the bill and amendments on the table; Which motion did not prevail.

Mr. Hillis moved to lay the amendment proposed by the gentleman from Delaware, to the amendment of the committee, on the table.

Mr. Wilson called the previous question;

Which was not seconded by the House.

The question being on the motion of Mr. Hillis;

The ayes and noes being demanded by Messrs. Orr and Menaugh:

*Those who voted in the affirmative are,*

Messrs. Allen, Alley, Athon, Barker, Beard, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Campbell, Carnahan of Fountain, Carnahan of Posey, Cleaver, Cole, Conaway, Cotton, Cravens, Defrees, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Goodwin, Graves, Greathouse, Harney, Hart, Harvey, Hicks, Hill, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Knowlton, Landiss, Lane, Lank, Leviston, May, Menaugh, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikin, Morrison, Murray, Niblack, O'Haver, Patterson, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Salter, Shepard, Sherrod, Spencer, Stewart, Stone, Stoops, Sunners, Thom,

Warriner, Watkins, Weaver, Wells, Weir, Wilson, Withers, Wright, Yocum, and Mr. Speaker—89.

*Those who voted in the negative are,*

Messrs. Connor, Keeney, O'Neal, Orr, Shelby, and Tinbrook—6.

So the amendment to the amendment was laid on the table.

Mr. Dougherty of Boone offered the following amendment to the proposed amendment of the committee :

Strike out and amend by inserting in the proper place—

“ Any person eligible to a seat in the House of Representatives of the General Assembly of the State of Indiana, shall be eligible to a seat in said Convention.”

On motion by Mr. Cravens,  
The House adjourned.

*Two o'clock, P. M.*

The House met.

Mr. Warriner, moved that the order of business be suspended. Which motion did not prevail.

#### ORDERS OF THE DAY.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 136. An act to organize a Probate Circuit in the counties therein named ;

No. 225. An act to incorporate the town of Belleville, in Hendricks county ;

No. 230. An act to amend an act entitled, “ An act to compel speculators to pay a road tax equal to that paid by actual settlers, and for other purposes in the county of Tipton ;”

No. 232. An act to legalize the sale of lot No. 85, in the town of Wabash, in Wabash county, Indiana ;

In all of which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of Senate bills contained in the foregoing message :

No. 136. A bill to organize a Probate Court in the counties therein named ;

Which was read a first time and passed to a second reading.

No. 225. A bill to incorporate the town of Belleville, in Hendricks county ;

Was read three several times, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 230. A bill to amend an act entitled, "An act to compel speculators to pay a road tax equal to that paid by actual settlers, and for other purposes, in the county of Tipton ;

Which was read a first time and passed to a second reading.

No. 232. A bill to legalize the sale of lot No. 85, in the town of Wabash, in Wabash county ;

Which was read a first time and passed to a second reading.

Mr. Harney moved to take from the table House bill,

No. 97. A bill providing for the taxation of all lands that may have been entered since the 26th of January, 1847, or that may hereafter be sold,

And place the same upon the files of the House.

Which motion prevailed.

Mr. Wilson moved to suspend the order of business, to make a report from a select committee.

Which motion did not prevail.

#### HOUSE BILLS ON THEIR THIRD READING.

No. 85. A joint resolution in relation to the officers and soldiers of the war of 1812 ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 103. A bill regulating the license of travelling merchants and pedlars ;

Was read a third time and,

On motion by Mr. Butler,

Laid on the table.

No. 109. A joint resolution on the subject of internal improvements ;

Was read a third time.

Mr. Mickle moved to indefinitely postpone the joint resolution.

The ayes and noes being demanded by Messrs. Wright and Mickle :

*Those who voted in the affirmative were,*

Messrs. Allen, Alley, Athon, Barker, Beard, Brown of Randolph, Brown of Shelby, Byers, Caldwell, Cleaver, Conaway, Cotton, Cravens, Delavan, Dougherty of Boone, Elder, Ellis, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Harvey, Hicks, Huey, Humphreys, Hunter, Johnson, Landiss, Leviston, Menaugh, Mickle, Niblack, O'Haver, Patterson, Richardson, Salter, Sherrod, Stoops, Thomas, Watkins, Wells, Withers, Yocum and Mr. Speaker—46.

*Those who voted in the negative are,*

Messrs. Bowen, Burnet, Butler, Carnahan of Fountain, Cole, Connor, Defrees, Dodd, Dougherty of Elkhart, Edwards, Goodwin, Graves, Hill, Hillis, Holcomb, Keeney, Knowlton, Lane, May, Miller of Marshall and Fulton, Miller of Owen, Millikin, Morrison, Murray, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Shelby, Shepard, Spencer, Stewart, Stone, Summers, Thom, Tinbrook, Warriner, Weaver, Weir, Wilson, Whinery, and Wright—45.

So the joint resolution was indefinitely postponed.

No. 146. A bill to provide for the election of a prosecuting attorney in the second judicial circuit ;

Was read a third time and passed.

*Ordered,* That the Clerk inform the Senate thereof.

No. 179. A bill to amend an act entitled "An act to revise and consolidate the several acts of the General Assembly, relative to laying out, opening, repairing, changing, and vacating public highways and to the erection and repairing of bridges and to amend the same," approved January 16, 1849 ;

Was read a third time.

Mr. Salter moved to recommit the bill to the committee on roads, with the following instructions :

*"Provided,* That the counties of White, Jasper, Pulaski, and Benton, be exempted from the provisions of this act."

Mr. Dougherty of Boone, moved to amend the instructions by excepting the county of Boone ;

Which motion prevailed.

Mr. Brown of Randolph, moved to amend the instructions by excepting the county of Randolph ;

Which motion prevailed.

Mr. Stoops moved to amend the instructions by excepting the county of Hamilton ;

Which motion prevailed.

Mr. Delavan moved to amend the instructions excepting the county of Morgan ;

Which motion prevailed.

On motion by Mr. Cole,

The bill and instructions were laid on the table.

No. 182. A bill to amend the first article of chapter twelve of the revised statutes of 1843 ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof

No. 235. A bill to amend section twenty-five, in chapter fifty-three, article one, of the revised statutes of 1843 ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 253. A bill to amend an act authorizing the construction of Plank Roads, approved January 13, 1849 ;

Was read a time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 268. A bill to encourage the construction of Rail and Plank Roads ;

Was read a third time.

Mr. Dougherty of Elkhart, moved to lay the bill on the table ;

Which motion did not prevail.

The question being on the passage of the bill,

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

No. 286. A bill to enable the inhabitants of the counties of Huntington and Whitley, to construct Plank Roads ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 290. A bill to incorporate the Noblesville Bridge Company ;

Was read a third time.

Mr. Stoops moved to amend the 6th section of the bill by inserting after the word "worship," the words "on Sunday ;"

Which amendment, by the unanimous consent of the House, was agreed to.

The question being on the passage of the bill,

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

No. 312. A bill to organize the county of Starke ;

Was read a time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 324. A bill to amend an act extending the jurisdiction of justices of the peace in certain criminal cases, approved February 16, 1848, and also to limit the sessions of the grand jury in Fulton county ;



Was read a third time.

On motion by Mr. Miller of Marshall and Fulton,  
By unanimous consent of the House, the 4th section of the bill  
was stricken out.

The question being on the passage of the bill,  
Was decided in the affirmative.

*Ordered*, That the clerk inform the Senate thereof.

No. 332. A bill providing for the opening of streets and alleys,  
in the city of Indianapolis ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

#### SENATE BILLS ON THEIR THIRD READING.

No. 18. A bill to incorporate the Union Turnpike Company ;  
Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 40. A bill to incorporate the Trustees of the Princeton Female College ;

No. 42. A bill to incorporate the Fort Wayne Fire and Marine Insurance Company ;

No. 76. A joint resolution on the subject of the Michigan City Harbor ;

Were severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Mickle,

The House took from the table House bill, No. 73, "A bill to amend an act entitled an act to incorporate the Lafayette Insurance Company," approved February 8, 1836 ;"

On motion by Mr. Mickle,

The House refused to concur in the amendment of the Senate.

#### HOUSE BILLS ON SECOND READING.

No. 43. A bill to provide for the election of township assessors in the county of Steuben ;

Was read a second time, and ordered to be engrossed.

No. 177. A bill authorizing the voters of Washington county to vote at any precinct in said county ;

Was read a second time.

On motion by Mr. Carnahan of Posey,  
The county of Posey was added to the bill.

On motion by Mr. Cravens,  
The county of Perry was added.

On motion by Mr. Wells,

The county of Jackson was added.

On motion by Mr. Hicks,

The county of Johnson was added.

On motion by Mr. Holcomb,

The bill was laid on the table.

No. 299. A bill authorizing the county commissioners of the county of Pike to levy a road tax, so far as it relates to the county of Pike;

Was read a second time, and,

On motion by Mr. Withers,

The rules were suspended, the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 180. A bill to amend an act entitled an act to increase and extend the benefits of common schools;

Was read a second time, and,

On motion by Mr. Lane,

The bill was laid on the table.

No. 181. A bill to repeal in part an act entitled "an act to increase and extend the benefits of common schools," approved January 17, 1849;

Was read a second time and ordered to be engrossed.

No. 196. A bill making an appropriation to the Independent Relief Fire Engine and Hose Company No. 1;

Was read a second time, and,

On motion by Mr. Patterson,

Was indefinitely postponed.

No. 221. A joint resolution to colonize free negroes;

Was read a second time, and,

On motion by Mr. Elder,

The joint resolution was indefinitely postponed.

No. 224. A bill providing for an appeal from the several boards of county commissioners in this State, in certain cases therein named;

Was read a second time, and,

On motion by Mr. Robinson of Decatur,

The bill was referred to the committee on the judiciary.

Mr. Brown of Shelby moved to reconsider the vote laying on the table House bill No. 179;

Which motion prevailed.

The question then being on recommitting the bill to the committee on roads, with the instructions proposed by Mr. Salter;

Mr. Cole moved to amend the instructions by excepting the counties of Miami and Wabash;

Which motion prevailed.

On motion by Mr. Dodd,

The instructions were amended by excepting the county of Grant.

On motion by Mr. Niblack,

The instructions were amended by excepting the county of Martin.

On motion by Mr. Defrees,

The instructions were amended by excepting the county of Elkhart.

On motion by Mr. Johnson,

The bill and instructions were laid on the table.

No. 225. A bill defining the duties of the treasurer of Dearborn county and other officers in relation to the common school fund in said county ;

Was read a second time, and ordered to be engrossed.

No. 226. A bill to amend an act entitled "an act to increase and extend the benefits of common schools," approved January 17, 1849 ;

Was read a second time.

Mr. Russell moved to amend the bill by adding the county of Hendricks ;

Which motion prevailed.

On motion by Mr. Carnahan of Posey,

The bill and pending amendments were laid on the table.

On motion by Mr. Niblack,

Bill of the House No. 59, was taken from the table and placed on the files of the House.

No. 227. A bill in relation to the Auditor of Warrick county ;

Was read a second time and ordered to be engrossed.

No. 228. A bill relative to the sale of school lands in certain counties therein named, and to amend article 13, chapter 13, of the revised statutes of 1843 ;

Was read a second time.

On motion by Mr. Mickle,

The rules were suspended, the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 233. A bill to authorize the location of a State road on the county line of Porter and Lake counties ;

No. 236. A bill to amend the 22d section, of the 47th chapter, of the revised statutes of 1843 ;

Were each read a second time and ordered to be engrossed.

No. 237. A bill authorizing the filing of transcripts of judgments of justices of the peace and issuing executions thereon ;

No. 239. A bill to amend the 224th section, of the 30th chapter, of the revised statutes of 1843 ;

No. 240. A bill declaratory of the meaning of sections 39, 40, 41, 42, 43, and 44, chapter 29, revised statutes 1843 ;

No. 241. A bill to authorize suits against the Trustees of the Wabash and Erie Canal, in certain cases ;

Were severally read a second time, and

On motion,

Referred to the committee on the judiciary.

No. 242. A joint resolution to adjourn from Saturday evening to Thursday morning ;

Was read a second time, and,

On motion by Mr. Graves,

Was laid upon the table.

No. 243. A bill in relation to grand jurors ;

Was read a second time.

Mr. Dougherty of Elkhart moved to commit the bill to the committee on the judiciary ;

Which motion did not prevail.

Mr. Murray moved to indefinitely postpone the bill ;

Which motion did not prevail.

Mr. Sherrod moved that the House adjourn ;

Which motion did not prevail.

Mr. Murray moved to amend the bill by excepting from its provisions the eighth judicial circuit.

Mr. May, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill of the House, with the engrossed bill, and find the same correctly enrolled, to-wit :

No. 303. An act for the relief of Montgomery county ;

Whereupon, the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Harney,

The House adjourned.

FRIDAY MORNING, 9 O'CLOCK, JANUARY 4th, 1850.

The House met.

The journal of the preceding day was read.

A message from the Senate by Mr. Emerson their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, without amendment :

No. 32. An act to provide for ascertaining the value of personal property exempt from execution.

No. 186. An act to change the name of Emanuel Pidcock.

Mr. Gessie moved to suspend the order of business ;  
Which motion did not prevail.

PETITIONS, &C., PRESENTED.

By Mr. Summers,

The temperance memorial of citizens of Henry county ;  
Which,

On motion,

Were referred to the select committee on the same subject.

By Mr. Brown of Randolph,

The petition of sundry citizens of Randolph county, praying for the repeal of the law of the last session changing the name of Huntsville to Trenton ;

Which,

On motion,

Was referred to a select committee, consisting of  
Messrs. Brown of Randolph, Lank, and Graves.

By Mr. Lank,

The remonstrance of citizens of Trenton, and vicinity, against the repeal of the law changing the name of Huntsville to Trenton ;

Which,

On motion,

Was referred to the select committee to whom was referred the petition on the same subject, consisting of

Messrs. Brown of Randolph, Lank, and Graves.

By Mr. Stone,

The petition of members of the bar of the Fayette Circuit Court, and citizens, praying for an amendment in the law of the last session, relative to deputy clerks, or to repeal the same ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Stone, Edwards, and Brown of Randolph.

By Mr. Byers,

The petition of citizens of Clinton county, relative to the Lafayette and Muncietown state road ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Byers, Yocum, and Cleaver.

By Mr. Greathouse,

The petition of the auditor of Vanderburg county ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Greathouse, Dodd, and Carnahan of Posey.

By Mr. Miller of M. and F.,

The petition of citizens of Fulton county, and officers of the probate court of said county, praying for the extension of the terms of the probate court ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Miller of M. and F., Leviston, and May.

By Mr. Whinery,

The petition of sundry citizens of St. Joseph county, praying the legislature to attach certain territory in said county to the county of Laporte ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Whinery, Millikan, and Robinson of Laporte.

By Mr. Whinery,

The petition of sundry citizens of St. Joseph county, praying that a law may be enacted conferring certain powers on the probate judge of said county ;

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Morrison,

The remonstrance of sundry citizens of the counties of Scott and Clark, against opening a certain road ;

Which,

On motion,

Was referred to a select committee on the same subject.



By Mr. Essex,

The remonstrance of sundry citizens of Newburn and vicinity,  
against the incorporation of Newburn ;

Which,

On motion,

Was referred to the select committee to whom was referred the  
petition on the same subject.

Mr. Prather moved to suspend the order of business ;

Which motion did not prevail.

Mr. Graves moved to suspend the order of business.

Which motion did not prevail.

On motion,

Leave was granted to Mr. Athon to withdraw the petitions of  
Isom S. Wright, J. Jones, and John S. Townsend.

Mr. Prather gave notice that on to-morrow he would move to  
suspend the order of business for one hour on each day at 10 o'clock,  
A. M., for the introduction of bills.

By Mr. Brown of Randolph,

The petition of sundry citizens for a charter for a road from the  
head of the White Water Canal at Hagerstown, to Blountsville ;

Which,

On motion,

Was referred to the committee on roads.

By Mr. Lank,

The temperance memorial of citizens of Randolph county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Hunter,

The petition of Aaron Wright ;

Which,

On motion,

Was referred to a select committee, consisting of  
Messrs. Hunter, Robson, and Robinson of Decatur.

On motion,

Leave was granted to Mr. Niblack to withdraw the petition of  
Peter Helphenstine, and the accompanying papers.

#### REPORTS FROM COMMITTEES.

Mr. Hicks, chairman of the committee on the judiciary, made the  
following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of  
the House No. 2, entitled "a bill for the more effectual, just, and  
equal assessment of personal property, moneys, credits, and capital

stock of moneyed and stock corporations, have duly considered said bill, and a majority of said committee have directed me to report the same back to the House with an amendment, and when said amendment is adopted, they recommend the passage of said bill.

Amend as follows :

Strike out the original bill from the enacting clause, and insert the following :

Sec. 1. That there shall be elected in each township in the several counties of this State, by the qualified electors thereof, on the first Monday in August preceeding the expiration of the term of service of the county assessors now in office, and biennially thereafter, an assessor who shall hold his office for two years, and until his successor is qualified, and shall do and perform all such duties as now are, or may hereafter, be required by law to be performed by assessors, and the assessors now in office shall be governed by the provisions of this act.

Sec. 2. The clerk of each county shall, so soon as the evidence thereof is filed in his office, certify to the county auditor the persons elected assessors in the several townships of his county, and the auditor shall thereupon issue to each person elected to said office, a certificate of his election, to be delivered to him by the sheriff of his county within ten days after the same is put into the hands of such sheriff.

Sec. 3. Each assessor elected under the provisions of this act, previous to entering on the duties of his office, shall give bond, with security, to the acceptance of the board doing county business, or in vacation, to the acceptance of the county auditor, in the penal sum of three hundred dollars, payable to the State of Indiana, and conditioned for the faithful and impartial discharge of the duties of his office according to law, and shall take and subscribe an oath or affirmation, to be indorsed on his bond, that he will faithfully and impartially discharge the duties of his office to the best of his skill and ability, and said bond so endorsed shall be deposited with the county auditor, who shall carefully preserve the same, and for any breach of the conditions of said bond suit or suits shall be instituted, in the name of the State of Indiana, on the citation of such county auditor, or person performing the duties of county auditor, in the circuit court of the proper county. And the county auditors, or persons performing the duties of county auditors, are authorized to administer the oath required by this section.

Sec. 4. If any assessor, elected or appointed under the provisions of this act, shall fail to give bond and qualify, within ten days after the receipt of his certificate of election or appointment, or, having qualified, shall resign. remove, or die, his office shall be considered vacant, and the county board shall fill the vacancy so occasioned, by appointment, whenever the same is practicable, and the county auditor, or person performing the duties of county audit-

or in vacations of the county boards, when the exigency of the case requires it, shall fill such vacancies, and such auditor or person performing the duties of auditor, shall issue to the assessor appointed as above in this section provided, a certificate of his appointment, which shall be delivered to him by the sheriff, and such assessor shall thereupon give bond and qualify as hereinbefore provided, and if any township shall fail to elect an assessor, the county board shall appoint as aforesaid.

Sec. 5. If any assessor shall be guilty of neglect of any of the duties now or hereafter imposed upon him by law, such assessor shall, upon conviction thereof, on presentment or indictment in the proper circuit court, be fined in any sum not exceeding one hundred dollars, and shall be subject to removal from office by the county board.

Sec. 6. County or township assessors shall annually, commencing on the first day of January, 1851, between the first day of January and the first day of June, call upon each person resident in his county or township, as the case may be, for a statement of his or her personal property, moneys, and credits subject to taxation; and in order to secure a full and complete assessment, it is hereby made the duty of such assessor to propound to the person of whose property he is taking a statement the following interrogatories, viz:

What is the number and value of your cattle?

What is the number and value of your sheep?

What is the number and value of your hogs?

What is the number and value of your mules and asses?

What is the value of your carriages, coaches, hacks, waggons, and other vehicles?

What is the value of your watches and clocks?

What is the value of your musical instruments, if any?

What is the value of your farming utensils, mechanics' tools, law and medical books, and surgical instruments, if any?

What is the value of your household and kitchen furniture?

What is the value of your personal property pertaining to merchandize, if any?

What is the value of your personal property pertaining to manufacturing, if any?

What is the value of improvements made within the last year upon your real estate, if any?

What is the amount of all your solvent claims over the amount of your indebtedness?

What amount of money have you on hand?

Have you any other property not exempt from taxation, and if so, what is the value thereof?

From the information derived from the answers to the foregoing questions, and such other information as he may obtain under direction and authority of the laws to which this is amendatory, the assessor shall make out and set down to the owners thereof, the ag-

gregate value of personal property, and value of improvements on real estate, as required by law.

Sec. 7. Every person refusing to answer to the questions above mentioned, when the same are propounded to him, or her, without some reasonable excuse for such refusal, shall be deemed guilty of an offence against the revenue, and upon conviction thereof, on presentment or indictment in the proper circuit court, shall be fined in any sum not exceeding fifty dollars; and in all cases when the person called upon refuses to answer the questions, or if the owner of property shall be absent or unable from sickness or other cause to give a statement of his property as required by law, it shall be the duty of the assessor to ascertain the value thereof from the best information he can obtain.

Sec. 8. In making and returning lists and abstracts by the assessors, and correcting the same, the assessor, county boards, and auditors shall be governed by the Act and the Revised Statutes to which this act is amendatory.

Sec. 9. Each assessor having made and returned his list and abstract according to law, shall be allowed by the county board one dollar and twenty-five cents for each day necessarily employed in making the assessments required of him: *Provided*, Such assessor shall first make and be sworn to a detailed account of his services, stating the date of each day employed.

Sec. 10. In the assessment and collection of the revenue, county boards, county auditors, county treasurers, and county and township assessors shall in all respects, except as in this act provided, be governed by the rules and regulations contained in the Revised Statutes of 1843, and in the several acts in relation thereto.

Sec. 11. All laws and parts of laws inconsistent with this act are hereby repealed, except that part of the local laws of any county which provides for the election of township assessor at any other time than that mentioned in this act, or providing tax payers shall call upon the assessor to give in a list of their property, which provisions in such local laws are excepted out of this act.

Sec. 12. This act to be in force from and after its publication in the Indiana State Journal and Sentinel.

On motion,

The report and bill was laid on the table.

Mr. Wilson moved to order 200 copies to be printed.

Mr. Cotton moved to order 100 copies to be printed.

The question being on printing 200 copies,

Was decided in the affirmative.

Mr. Edwards, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee, to whom was referred bill of the House,

No. 325, entitled "A bill to confirm the sale of the State's right to take new stock in the Madison and Indianapolis Railroad Company, and to prevent said Company from making an increase of the stock in said Company so long as the State has an interest in said Company," have considered the same, and directed me to report it to the House, and state, that as the sale of the right to take the new stock in said Company was conditional, subject to the ratification or rejection of the Legislature, that it would be for the interest of the State to retain the new stock, and recommend that it be recommended to the committee on ways and means, with instructions to provide for the payment of the principal and interest due, and to become due, from the State for that purpose.

Which report was concurred in.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred Senate bill, No. 78, have had the same under consideration, and have directed me to report the same back and recommend it to be laid upon the table, inasmuch as a bill, more satisfactory in its details, having the same object in view, has passed this House at the present session.

Which report was concurred in.

Mr. Allen, chairman of the committee on agriculture, made the following report :

MR. SPEAKER :

The committee on agriculture to whom was referred the resolution of the House inquiring into the expediency of reporting a bill establishing a State Board of Agriculture, have had the same under consideration, and directed me to report that in the Revised Statutes of 1843, chapter 25, article 5, there is a law authorizing a State Board of Agriculture, and the committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred a resolution of the House requesting said committee to inquire into the expediency of enacting a law to provide for the creation and government



of municipal corporations by a general and uniform law, under which and not otherwise all corporations shall be formed, with leave to report by bill or otherwise, have had that subject under consideration, and have directed me to report that although your committee would unanimously concur with the mover of that resolution, and consider that an enactment of that kind is not only expedient, but loudly called for by the public interest, and would be favorably considered by your committee; yet, considering the advanced stage of the present session, and the labor it would take to compile and perfect a bill of that kind, and the uncertainty of its passage, the committee have instructed me to report it inexpedient at this time to legislate on that subject, and ask to be discharged from the further consideration of the same.

Which report was concurred in.

Mr. Whinery, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the Senate No. 155, have had the same under consideration, and instructed me to report the same back to the House with one amendment, and with the amendment recommend its passage :

No. 155. A bill to incorporate the Madison Gas Light Company ;

Strike out all after the word "therein" in the 6th line of the 7th section.

Which amendment was concurred in.

The bill, as amended, was ordered to a third reading.

Mr. Farnesley, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred Senate bill No. 7, entitled 'an act to amend an act to incorporate the Milton and Waterloo Turnpike company,' have had the same under consideration, and directed me to report the same back without amendment and recommend its passage.

Which bill was ordered to a third reading.

#### SELECT COMMITTEES.

When the House adjourned at 12 o'clock, M., yesterday, the report of the select committees to whom was referred House bill No. 1, "a bill to provide for holding a convention of the people to revise or amend the Constitution of this State," was under consideration.



The question being,

On motion by Mr. Dougherty of Boone,

To concur in the 2d amendment with the following amendment :

“Any person eligible to a seat in the House of Representatives of the General Assembly of the State of Indiana shall be eligible to a seat in said convention.”

On motion by Mr. Lane,

The bill and pending amendments were laid on the table.

Mr. Hunter, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of three hundred and eighty citizens of the county of Marion, praying the repeal of the school law of 1848-9, have had the same under consideration, and have directed me to report the accompanying bill and recommend its passage :

No. 338. A bill to legalize the acts of the school commissioner of Marion county, and to abolish the office of school commissioner ;

Which was read a first time and passed to a second reading.

Mr. Lane, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill of the House, No. 307, entitled “An act to incorporate the Indianapolis and Springfield Plank Road Company,” have had the same under consideration and have directed me to report the same back to the House, with two amendments, and upon the adoption of which, to recommend its passage :

Amend section 9, by inserting after the word “Danville,” the word “New Winchester.

Amend by striking out section 29, and substituting in lieu thereof, the following :

“Sec. 29. The stock subscribed under this charter, shall be laid out under the direction of the Directors living in the counties where subscribed.”

Which amendments were concurred in.

Which bill as amended was ordered to be engrossed.

Mr. O’Neal, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Montgomery and Tippecanoe counties, praying for

the location of a State road from Crawfordsville, in Montgomery county, to Concord, in Tippecanoe county, have had the same under consideration and have, unanimously, directed me to report the following bill, and respectfully recommend its passage :

No. 339. A bill to locate a State road from Crawfordsville, in Montgomery county, to Concord, in Tippecanoe county ;

Which was read a first time and passed to a second reading.

Mr. Spencer, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred House bill No. 306, in relation to straightening the line between the counties of Ohio and Dearborn, have had the same under consideration and after a full investigation of the matter, are of the opinion that common justice, and the interests and necessities of the people living along Laughery creek, the dividing line, imperatively demand the action of the Legislature in straightening the same. Your committee, therefore, recommend the passage of said bill without amendment.

JOHN W. SPENCER,

JOHN W. WRIGHT.

JOSHUA P. FARNSLEY.

Mr. Watkins moved to recommit the bill to the same select committee, with the following instructions :

Amend the third section so as to read as follows :

This act shall take effect and be in force from and after a majority of the qualified voters of Dearborn county shall, by petition, signify to the board of commissioners of said county, their wishes to have the territory between the present line and the proposed line attached to Ohio county.

Which motion did not prevail.

Mr. Watkins moved to indefinitely postpone the bill.

Which motion did not prevail.

The bill was ordered to be engrossed.

Mr. Watkins, from a select committee, made the following report on the part of the minority :

MR. SPEAKER :

A minority of the select committee, to whom was referred House bill, No. 306, purporting to be a bill to straighten the line between Ohio and Dearborn counties, in the State of Indiana, have had the same under consideration and beg leave most respectfully to submit the following report :

1. That the people of Dearborn and Ohio counties, have not, by

petition or otherwise, asked this Legislature to make such change in the boundary line of said counties, as is contemplated by this bill, while three thousand five hundred voters in Dearborn county have most unequivocally signified their opposition to the enactment of any law that would have the effect to detach more territory from the county of Dearborn, to be added to the county of Ohio.

2. That Ohio county is already indebted to Dearborn, for all the territory now embraced in her limits, and the people of that county, by asking more territory, not only exhibit a spirit of ingratitude, but are acting in open violation of a solemn contract, made positive and absolute, between the people of said counties, at the time Ohio county was organized; to the effect that Laughery creek should be and forever remain the boundary line between said counties.

3. The third section of said bill, gives the board of county commissioners of Ohio county, the sole power to decide upon all petitions from the inhabitants of the territory, proposed to be annexed to said county, thereby enabling said board to construe any number of petitioners, however small, to be a majority of the qualified voters of said territory, and thus deprive the people of a fair election, in this matter, by committing fraud upon their franchises.

4. The object of said bill is not what its title purports "to straighten the line between the counties therein named," but a bill to detach a large portion of the territory from Dearborn county, against the known and expressed wishes of nineteen-twentieths of the inhabitants of said county. Therefore, the undersigned, a minority of your committee respectfully protest against the passage of said bill.

J. F. WATKINS.

Mr. Russell, from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred House bill, No. 145, have had the same under consideration and a majority of said committee have directed me to report the bill back to the House, with the following amendment to the first section of said bill, and when so amended, recommend its passage :

Strike out all of section first, after the enacting clause, and insert the following :

"That hereafter it shall be the duty of the Commissioners of the Sinking Fund, to advertise all lands mortgaged to said fund, which may be forfeited for the non-payment of either principal or interest, in two papers published at the seat of Government of this State, and in one paper in each county where the land may be situated, if there be a newspaper published in such county, four weeks successively, the first publication to be at least sixty days previous to the day of sale; and if no paper be published in the county where the

lands may be situated, then four publications only in two papers at the seat of Government, shall be required.

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

Mr. Cravens, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of the counties of Clark and Washington, praying a change in the line dividing said counties, have had the same under consideration, and have directed me to report it inexpedient to legislate on the subject, and ask to be discharged from its further consideration.

Which report was concurred in,

Mr. Dougherty of Elkhart, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of citizens of Carroll county, praying for the removal of the county seat of Carroll county from Delphi to Camden in said county, and the remonstrance of citizens of said county on the same subject, have had the same under consideration, and have directed me to report that it is inexpedient to grant the prayer of the petitioners.

Carroll county was organized in the year 1828, and now contains about twelve thousand inhabitants. In the fertility of its soil, and in its agricultural improvements, it is not excelled by any county in the State. Delphi, the present county seat, is situated on the Wabash and Erie Canal, and on the Wabash river. It is about four miles from the west line, and about ten miles from the geographical center of the county. With a rapidly increasing population, it now contains over one thousand inhabitants, and is a place of great and growing prosperity. Its great artificial and natural advantages are not surpassed by any town in the State, and needs only the concentration of capital in the employment of its vast water power at the dam thrown across the river at that point, to make it one of the most eligible locations for manufacturing operations, upon an extended scale, any where to be found in the western country.

The public buildings at Delphi consist of a court house, jail, and a commodious edifice containing the county offices. The whole were erected at an expense exceeding ten thousand dollars. They are all built in a substantial and tasteful style, and will answer the purpose for which they were designed for many years to come. Two of them are recent structures. They are all well adapted to the uses for which they were intended, and would be almost valu-

less for any other purpose. To sacrifice so much valuable property, and to disturb so many valuable interests as always cluster around a flourishing county seat, merely to remove an inconvenience arising from its uncentral position, your committee think, would be very unwise, unless called for by more urgent considerations than any which have been brought before the attention of the committee.

It is true that Delphi, the present county seat, is at a distance of ten miles from the centre of the county, but the inconvenience arising from its uncentral position your committee think is more fancied than real. Delphi is on the canal and river, and Pittsburgh, another flourishing town, is situated on the opposite bank of the river. All the trade and commercial business of the county is transacted at these two places. The business of almost every man in the county in going to these markets, will draw him there a number of times in the year, and when there his county business can readily be transacted, without always requiring a journey for that especial purpose. An arrangement like this seems to your committee a lesser inconvenience than where a man's private and public business draws him in different or opposite directions.

The practice of the people of counties bordering on our lakes and rivers, in locating their county seats upon the bank of the river or lake, justify these conclusions of the committee as to the convenience of such locations.

Large and spacious hotels have been erected at Delphi, and the concourse of people ordinarily attending courts will be much better provided for there than they could be for many years to come, if the county seat was removed to a new place unfurnished with such facilities for accommodating the people.

Independent of these considerations, the committee would be unwilling to grant the prayer of the petitioners because the remonstrants are double in number to the petitioners, and also because in all cases of re-locating county seats, the question should be submitted to the vote of the people, which is not asked for by the petitioners in this case.

Which report was concurred in.

Mr. Hicks, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of Harvey Allen, and others, citizens of Blue River townshi, Johnson county, Indiana, on the subject of temperance, and praying for the passage of a law prohibiting the sale of spirituous liquors, wine, and strong beer. in said township, have had that subject under consideration, and directed me to report the following bill, and recommend its passage:

No. 340. A bill to prohibit the sale of intoxicating drinks, in Blue River township, Johnson county, Indiana ;



Which was read a first time, and passed to a second reading.  
Mr. Gessie, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of Susan Coleman, praying for a divorce, and change of name, have had the same under consideration, and a majority have directed me to report the following bill :

No. 341. A bill to divorce Susan Coleman from her husband, and change her name to that of Susan Beers ;

Which was read a first time, and,

On motion by Mr. Elder,

The bill was rejected.

Mr. Stone, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Fayette county, relative to deputy clerks, not being allowed to practice as attorneys and counsellors at law, have directed me to report back the following bill, and to recommend its passage :

No. 342. A bill to repeal an act therein named, so far as the county of Fayette is concerned ;

Which was read a first time and passed to a second reading.

Mr. Connor, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred the petition of R. G. Cotton, H. G. Barkwell, and other citizens of Perry county, have had the same under consideration, and instructed me to report the following bill, and respectfully ask its passage :

No. 343. A bill for the relief of Wm. Mackey ;

Which was read a first time and passed to a second reading.

Mr. Weaver, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of township 26 north, range 1 west, in Carroll county, praying the enactment of a law for the sale of the 16th section of said township, have had the same under consideration, and have directed me to report the following bill, and recommend its passage :



No. 344. A bill to authorize the sale of school section in township 26 north, range 1, in Carroll county ;

Which was read a first time and passed to a second reading.

Mr. Dodd, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Grant county, in regard to the docket of Elisha Cast, a justice of the peace in said county, have instructed me to report the following bill, and recommend its passage :

No. 345. A bill to transfer the dockets of John Hodge and Jefferson S. S. D. Carey, late justices of the peace of Grant county, Indiana, to the custody of Thomas Wall, a justice of the peace of said county ;

Which was read a first time and passed to a second reading.

Mr. Hunter, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Lucinda Foster, and accompanying certificate, praying the General Assembly of the State of Indiana, to pass a law dissolving the banns of marriage heretofore existing between Isaac Foster and Lucinda Foster, have had the same under consideration, and while the committee doubt the propriety of granting divorces generally, they do think the present case presents merits worthy the deliberative action of this General Assembly, and a majority of said committee have directed me to report the accompanying bill, and recommend the deliberative action of the House upon it :

No. 346. A bill dissolving the banns of marriage between Isaac Foster and Lucinda Foster ;

Mr. Salter moved to reject the bill ;

Which motion prevailed.

Mr. Brown of Randolph, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Randolph county, praying that an additional compensation may be made to the Probate Judge of said county, have had the same under consideration, and have directed me to report the following bill, and respectfully recommend its passage :

No. 347. A bill relative to the Probate Judge of Randolph county ;

Which was read a first time and passed to a second reading.

Mr. Graves, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of the inhabitants of district No. 4, township 31, north of range 6 east, in Kosciusko county, praying for authority to levy a tax sufficient to build a school house in said district, have had the same under consideration, and have instructed me to report a bill in accordance with the prayer of said petitioners, and respectfully recommend its passage :

No. 348. A bill to enable the qualified voters of district No. 4, in township No. 31, north of range 6 east, in Kosciusko county, to levy a tax in said district sufficient to build a school house ;

Which was read a first time and passed to a second reading.

Mr. Cole, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Miami county, relative to the improvement of Zadock C. Smith on certain school lands in said county, have had that subject under consideration, and have directed me to report the following bill, and recommend its passage :

No. 349. A bill for the relief of Zadock C. Smith, of Miami county ;

Which was read a first time and passed to a second reading.

Mr. Murray, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Cass and Miami counties, praying relief for persons who have made improvements on the school section in township 25, north of range 3 east, in the counties of Cass and Miami, have had the same under consideration, and directed me to report the accompanying bill, and respectfully recommend its passage :

No. 350. A bill for the relief of persons who have made improvements on school section in township 25, north of range 3 east, in the counties of Cass and Miami ;

Which was read a first time and passed to a second reading.

Mr. Morrison, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to which was referred petitions and a remonstrance from the citizens of Jefferson, Scott, and Clark counties, in relation to the location of a state road, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 351. A bill to authorize the location of a state road in the counties of Jefferson and Clark ;

Which was read a first time and passed to a second reading.

Mr. Wilson, chairman of the select committee to whom was referred bill No. 229 of the House, made the following report :

MR. SPEAKER :

The select committee to whom as was referred bill No. 229, entitled "a bill to charter the Indianapolis and Cincinnati Railroad Company," and a pending amendment thereto, have had the same under consideration, and have directed me to report that further action of this legislature upon this subject is inexpedient.

Mr. Edwards, from the same select committee, made the following report, on the part of the minority :

MR. SPEAKER :

The undersigned, a minority of the select committee, to whom was committed bill of the House No. 229, to charter the Indianapolis and Cincinnati Railroad Company, dissent from the report of the majority of said committee, that it is inexpedient to legislate on that subject, and in thus dissenting, they deem that it is due alike to themselves and to the subject under consideration to give some of the reasons therefor.

The bill proposes to charter a Company to construct a Railroad from Indianapolis in the direction of Cincinnati, and by this means bring that great commercial city of the west within a few hours travel of the capital of our own State, opening to us its markets, which on all hands are acknowledged to be the best which can be offered to our citizens. It is an ascertained fact which cannot be controverted, that Cincinnati has offered a higher market for the staple articles of Indiana, than any of her own border towns or cities. From its position, size, and wealth, it must continue to be the principal point to which will tend the great surplus products of eastern, western, and central Indiana. Such being the benefits that are apparent from a road like the one contemplated in the bill, it

may well be inquired why the State of Indiana, which has been so very liberal in the granting of charters, refuses in this instance to permit this great thoroughfare to be opened to her citizens. It has been urged in grave argument against this bill, that it will be giving encouragement to Cincinnati at the expense of some of our own cities, and not those of a foreign State. The undersigned will not undertake to make a serious reply to this reason, which is based upon pure selfishness, and is totally unsupported by any consideration of sound policy or liberal feeling. Suffice it to say they believe the time has long since passed away when motives so selfish and sectional can influence any one who claims to be fit to represent an intelligent and republican people. Such a principle, if carried into practical operation, would dry up the Ohio and Mississippi, because on their majestic waters the surplus of our citizens is carried beyond the limits of the State, and goes to enrich and build up another and a foreign city. They will not insult the Legislature and the people by pressing the matter further. Instead of the selfish policy which would oppose a great improvement because all of its advantages are not confined to ourselves exclusively (and which we have condemned in the case of a neighboring State). The undersigned would say, leave our commerce and trade free and unfettered to seek those markets, to which, by the laws of traffic, they are attracted. Give the citizens all the facilities in our power for the transportation of the results of their labor, and if splendid cities do not arise within the limits of our own State, it will be because the general interests of our people would not be promoted thereby.

It has been argued as a prominent reason why we should not charter the proposed road, that it will injure the interest the State has in the stock of the road to Madison, by lessening her dividends expected from that source. Now, does not the mere statement of the argument disclose its weakness? Is it not admitting that a portion of the commerce which goes to Madison at present, does so because there is no other southern outlet. If a road direct from Indianapolis to Cincinnati will direct so large an amount of business from this road, in which the State owns stock, will it not be because that road offers greater advantages to our citizens than any other? Is it desirable or liberal that the State should hold a monopoly at the expense of her own citizens, or that for the mere prospect of a few thousand dollars she should seek to cripple the resources and the energy of a great portion of the State? The welfare of the State will be best advanced by promoting the comfort and happiness of each individual. If the State is to exert her vast power to put down every improvement which may possibly conflict with her pecuniary interests in a particular work, it is time the people should know it, that they may provide against the recurrence of such a monopoly. But the effect will be, if the revenue of the State is lessened by coming in competition with the Madison road, that the decrease will be more than made up by inviting into the State a large amount of capital subject to taxation. It has been urged

again that to grant this charter will be injustice to certain other chartered companies on the line of the proposed road. The undersigned would suggest that when the charters for these roads were granted, the faith of the State was not pledged, especially or otherwise, that she would not, at any future period, enter into any improvements, which might lessen the value of those already made. The State not only did not do this, but she could not have done it. When the charter of those roads, whose interests, it is contended, are now to be affected, were granted, it must have been with the implied understanding that the State reserved the right to make any and all future improvements which her interests might demand. If no act of incorporation is to be granted that may conflict with the pecuniary interests of an existing company, the undersigned would ask why this body, a few days since, granted a charter for a railroad from Evansville *via* Vincennes to Terre Haute, when it was contended that it was an act of bad faith towards the bondholders of the Wabash and Erie Canal. If the argument is worth any thing in the one case it is in the other, unless it can be shown that our foreign bondholders are entitled to less respect than a chartered company of our own State, the stock of which is chiefly held by the brokers of New York City. The energy and enterprise of the citizens of Indiana should not be limited by State lines. She bears a relation to the entire Union, that requires an enlarged and liberal policy, which shall conduce not only to her own interests, but to the interests of the masses of the American people.

The minority of said committee believe the following reasons among others, in addition to the foregoing, that the company should be incorporated :

1st. Because the undersigned are of opinion that liberal charters for Railroads ought to be granted by the Legislature to any section of the State, desiring to benefit their agricultural and commercial condition by the construction of these great arteries of trade.

2d. Because the facility of getting to market, and the more outlets, the greater will be the competition of rival points of trade, the consequence will be that the transportation will be reduced to the lowest possible rates, and the products of the country will command the highest market price.

3d. Because, in the judgment of the undersigned, a direct communication with Cincinnati will be of immense advantage to a large portion of this great State, inasmuch as it will afford the best market for almost every article of produce. The undersigned will show the effect it will have on a single item of production, and that will suffice. As the interior of the State is now situated, the only outlet it has by rail way, to the Ohio river, is by the Madison road; the article of pork at the city of Madison upon an average brings fifteen cents per hundred pounds less than at Cincinnati, and why? because it will cost the drover twenty-five cents per hundred more to drive his hogs to the latter place than it will to transport them by the cars to the former; the merchant at Madison, seeing this, takes



advantage of his situation, puts the difference into his own pocket instead of the pocket of the producer. But the moment you open a communication to a rival point competition corrects this and the farmer gets the full value of his commodity at either point. Take for illustration a single county, and in order that no one may charge us with unfairness, we select one of the counties upon the Madison road itself, the county of Bartholomew, we will suppose that she produces twenty thousand hogs annually, averaging two hundred pounds each; without any other than the Madison market to which she can go, she is compelled to sell these hogs for six thousand dollars less than their intrinsic market value for want of a choice of markets; but the moment you open a communication to another market, as Cincinnati for instance, the farmers of Bartholomew county will get as high a price for their hogs at Madison as the farmers of Rush county will get for theirs at Cincinnati.

In addition to this every person who travels to Cincinnati and to points east of it, from the whole of the Western, Northern, and Central portion of the State is compelled to pay one dollar and fifty cents more on the Madison road and on steamboats, than he would pay on a road direct to Cincinnati. We will suppose upon an average, for the next ten years, that there will be sixty "through" passengers per day each way on the Madison road, equal to thirty-six thousand dollars per annum at one dollar and fifty cents extra each, and you have an annual and unnecessary tax upon the traveling community, a large portion of whom are our own citizens, of fifty-four thousand dollars, for the poor privilege of passing through the beautiful city of Madison and getting a sight at the "deep diggings."

Now in conclusion, we are of opinion, with due deference to the counter views of the majority of the committee, that all this is too great a tax to be imposed, by the rejection of this bill, on the farming and traveling community. There are many other reasons that could be urged why this bill should become a law, such as the increased value of taxables on the route of the road, the foreign capital that would be brought in and expended among us, as well as the tax upon the stock, all going to show that as a revenue measure it ought to be adopted.

But our time will not allow us to discuss these and other topics connected with this great measure.

Respectfully submitted,

W. K. EDWARDS,  
JAMES BROWN,  
HIGGINS LANE,  
L. A. BURNETT,  
G. B. RUSH,  
JOHN ALLEY,  
JAMES LEVISTON,  
W. D. ALLEN,  
GILLDEROY HICKS,  
S. S. MICKEL,  
S. A. RUSSELL.



Mr. Shephard moved to lay the bill and the reports of the majority and minority on the table ;

On motion by Mr. Prather,

A call of the House was ordered.

After spending some time in the call, all the members answered to their names, except Mr. Defrees, and the members previously excused in consequence of sickness.

On motion by Mr. Lane,

The call was dispensed with.

The question being on the motion to lay on the table.

The ayes and noes being demanded by Messrs. Edwards and Delavan :

*Those who voted in the affirmative were,*

Messrs. Athon, Barker, Beard, Bird, Bowen, Butler, Byers, Caldwell, Cole, Connor, Cravens, Defrees, Dodd, Dougherty of Elkhart, Elder, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Hill, Hillis, Humphreys, Knowlton, Landiss, May, Menaugh, Miller of Owen, Millikan, Morrison, Murray, Niblack, O'Haver, Prather, Robinson of Laporte, Salter, Shelby, Shepard, Sherrod, Spencer, Stewart, Summers, Thom, Thomas, Warriner, Watkins, Wells, Weir, Wilson, Withers, Wright, and Mr. Speaker—53.

*Those who voted in the negative were,*

Messrs. Allen, Alley, Brown of Randolph, Brown of Shelby, Burnett, Campbell, Carnahan of Fountain, Carnahan of Posey, Chandler, Cleaver, Conaway, Cotton, Delavan, Dougherty of Boone, Edwards, Ellis, Gessie, Graves, Harvey, Hicks, Holcomb, Huey, Hunter, Johnson, Keeney, Lane, Lank, Leviston, Miller of Marshall and Fulton, O'Neal, Orr, Patterson, Reed, Richardson, Robinson of Decatur, Ross, Rush, Russell, Stone, Stoops, Tinbrook, Whinery, and Yocum—43.

So the bill and report was laid on the table.

Mr. Shelby, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Tippecanoe and Montgomery counties, asking compensation for capturing and bringing back and depositing in the jail of Tippecanoe county Joseph Coughren, jr., and Martin Moore, charged with having sold counterfeit land warrants to John Maharrey and John Mahar, have had the same under consideration, and now ask leave to report the following bill, and recommend its passage :

No. 352. A bill for the relief of John Maharrey ;

Which was read a first time and passed to a second reading.  
Mr. Cole, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred the communication of the Auditor and Treasurer of State, in reply to a resolution of the House requesting them to "report whether a settlement had been made with the Trustees of the Wabash and Erie Canal of the amount outstanding of Wabash and Erie Canal scrip east and west of Tippecanoe," have had that subject under consideration, and have directed me to report, that it appears from said communication that an investigation "of the scrip account, as directed by the joint resolution, approved Jan. 16, 1849," was had between the Auditor and Treasurer and Col. Blake, one of the Trustees of the Wabash and Erie Canal, and "that the amount of the Wabash and Erie Canal scrip east, was found to be exactly as the Auditor of State had reported to the last General Assembly, (leaving still outstanding the sum of \$25,171 21,) except that by an examination of old reports made to the Board of Internal Improvements, and the Fund Commissioners," was found an entry of \$11,824 10 of scrip returned to the Fund Commissioners by Jesse L. Williams, then General Superintendent of the Wabash and Erie Canal, and that doubts existed whether this sum was a proper credit which ought to be deducted from the sum first mentioned as outstanding. As the joint resolution referred to authorized the Auditor and Treasurer of State to "*adjust and settle* the scrip account" with the Trustees, and to "fix the amount outstanding which said Trustees are bound to redeem, and report the same to the next Legislature for its confirmation," your committee has no difficulty at arriving at the conclusion that no such settlement as is contemplated in the joint resolution has ever been made, and this opinion seems fully sustained not only by the communication referred to, but by the acts of the Trustees themselves. It appears that a register is kept of each scrip that has been issued, and that the proper entry has been made in a blank opposite each number wherever any has been redeemed and cancelled, and it would seem to be no difficult matter at any time, upon a careful examination of these registers, to determine the exact amount in circulation without resorting to the less reliable entries of aggregate sums made by officers whose terms have long since expired, and which are not understood by any person at present connected with the business.

Your committee do not deem it important to inquire what was the aggregate amount of scrip which these Trustees were bound to redeem, or the precise amount yet outstanding. By the different acts creating their trust, they stand in the same relation to the holders of this scrip that the State did previously, and are bound to redeem *all* that has been properly issued by the State officers. No

sum is specified in either of the acts, and the first duty of the Trustees, as it occurs to your committee, would have been to redeem the entire amount, upon presentation, in payment for lands, &c., and after that, if they had any just cause to complain of any misrepresentations on the part of the State authorities, it would have been quite as appropriate to lay the matter before the Legislature, as to have impeached in advance the good faith of the State, by taking the remedy into their own hands, by refusing to receive this scrip, to the serious injury of its innocent holders. Whether the Trustees have any such cause of complaint, it is, perhaps, not necessary to express an opinion, but it may not be improper to remark, that if the Agent of the Bondholders had consulted the registers alluded to—the most reliable sources of information—in regard to this matter, the possibility of any misunderstanding would have been obviated; and, besides this, it can hardly be reckoned among the probabilities that if the amount of this scrip, which was shown to be in circulation at different times by the Auditor's reports had been found to be more than the amount really outstanding, the Trustees would have felt themselves bound to have paid the difference into the State Treasury.

It must be remembered, too, that the Trustees have derived some benefits which could not have been taken into the account when this State debt arrangement was entered into. They are now about to derive over one hundred and thirteen thousand acres of land, over and above the amount which had been granted to the State previous to this arrangement, and if it is contended on the part of the Trustees, that they were only bound to redeem the amount of scrip which appeared to be outstanding from the reports of the Auditor, it may, by a parity of reasoning be contended, on the part of the State, that she is only bound to them for the lands which she then owned, and that the revenues to be derived from the sales of lands, included in this additional grant, ought to be paid into the State Treasury.

In conclusion, your committee would say, that they deem it the duty of the State to protect the innocent holders of this scrip from damages and loss, and that they do not doubt the ability nor the disposition of the Legislature to redress any and all just causes of complaint on the part of the Trustees, in relation to the matter under consideration, and they have, therefore, instructed me to report the following joint resolution, and recommend its passage:

No. 353. A joint resolution relative to the redemption of the Wabash and Erie Canal scrip, east of Tippecanoe;

Which was read a first time and passed to a second reading.

#### RESOLUTIONS.

On motion by Mr. Carnahan of Posey,

*Resolved*, That the judiciary committee be instructed to inquire

into, and report to this House, as early as practicable, whether all former Agents of State have not taxed to the State incidental expenses incurred while attending to business foreign to their official duties, and also, whether they have not taxed the State with extra incidental expenses while attending to their proper official duties, and whether they are liable on their official bond for said extravagant, and other expenses incurred while attending to business not connected with their official duties.

Mr. Elder offered the following resolution :

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of so amending the law for the collection of debts, as to allow the creditor to make oath or affirmation to his accounts within a limited time after the debts were contracted. Also, into the expediency of so altering the limitation law, that it shall not extend to persons who shall have removed from the county where they may have contracted debts.

Which was not adopted.

#### BILLS &C. INTRODUCED.

By Mr. Salter,

No. 354. A joint resolution in relation to the navigation of the Iroquois and Kankakee rivers ;

By Mr. Wright,

No. 355. A joint resolution on the subject of improving the navigation of the Ohio river ;

By Mr. Cole,

No. 356. A joint resolution relative to the Miami Indians ;

By Mr. Wright,

No. 357. A joint resolution on the subject of vacant lands in the State of Indiana, &c.;

Were severally read a first time and passed to a second reading.

By Mr. Gentry,

No. 358. A bill for the relief of the purchasers of the Seminary lands in Monroe county ;

Was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee on the judiciary.

By Mr. Gessie,

No. 359. A bill to increase the per diem allowance of the Probate Judge of the Probate Court of Vermillion county ;

Which was read a first time.

On motion by Mr. Gessie,

The rule was suspended, the bill read a second and third times and passed.

*Ordered*, That the Clerk inform the Senate thereof.

By Mr. Carnahan of Fountain,

No. 360. A bill for the relief of Orphan children ;

By Mr. Spencer,

No. 361. A bill to amend article 2d, chapter 45, of the Revised Statutes of 1843, in relation to actions of ejectment and occupying claimants ;

Were each read a first time and passed to a second reading.

On motion,

The rule was suspended and the bills read a second time, and, Referred to the committee on the judiciary.

By Mr. Elder,

No. 362. A bill for the relief of the Trustees of Union Meeting House, for the United Brethren in Christ, in Wayne county ;

Which was read a first time, and,

On motion by Mr. Elder,

The rule was suspended, the bill read a second and third times, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

By Mr. Holcomb,

No 363. A bill to attach a portion of township No. 4, south of range 9 west, to township No. 3, range 9 west, in Gibson county ;

Which was read a first and second times, the rules being suspended therefor.

Mr. Holcomb moved to suspend the rules and read the bill a third time.

Which motion did not prevail.

The bill was then ordered to be engrossed.

By Mr. Keeney,

No. 364. A bill to incorporate the Fort Wayne and Wolf Lake Turnpike Company ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Murray,

Referred to the committee on corporations.

By Mr. Robinson of Decatur,

No. 365. A bill to amend an act entitled, "An act to amend the charter of the Milford and Columbus Rail Road Company ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Prather,

Referred to the committee on corporations.

By Mr. Warriner,

No. 366. A bill to amend an act entitled, "An act supplementary to an act, to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved, January 19th, 1846 ;

Which was read a first and second times, the rules being suspended therefor, and,



On motion,

Was referred to the committee on canals and internal improvements.

By Mr. O'Neal,

No. 367. A bill to legalize the Assessment of Taxes in Tippecanoe county ;

Was read three several times, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

By Mr. Landiss,

No. 368. A bill changing the mode of doing county business in the county of Crawford ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

By Mr. Connor,

No. 369. A bill regulating fees and salaries of the several officers and persons therein named ;

Which was read a first time and passed to a second reading.

By Mr. Miller of Owen,

No. 370. A bill to amend "An act to provide for opening and repairing public roads and highways in the counties of Owen, Lawrence and Greene," approved, February 1, 1834 ;

Mr. Knowlton moved to suspend the rule and read the bill a third time.

Which motion did not prevail.

By Mr. Chandler,

No. 371. A bill to explain section 293, of chapter 30 of the Revised code of 1843 ;

Was read a first and second times, the rule being suspended therefor, and,

On motion,

Referred to the committee on the judiciary.

By Mr. Reed,

No. 372. A bill to reduce the fees for recording deeds, and other conveyances in the county of Warrick ;

Was read a first and second times, the rule being suspended therefor, and ordered to be engrossed.

By Mr. Russell,

No. 373. A bill repealing a part of section 31, of "An act to increase and extend the benefits of common schools," approved, January 17, 1849 ;

Which was read a first time and passed to a second reading.

By Mr. Prather,

No. 374. A bill to amend an act entitled, "An act locating a State road in the county of Decatur, Jennings, and Bartholomew," approved January 5th, 1849 ;

Which was read a first and second times, the rule being suspended therefor, and,



On motion,

Referred to a select committee, consisting of  
Messrs. Prather, Hart, Essex, and Robinson of Decatur.

By Mr. Miller of M. and F.,

No. 375. A bill to extend the time of the sittings of the Probate Court of Fulton county ;

Which was read a first and second times, the rule being suspended therefor.

On motion by Mr. Miller of Marshall and Fulton,  
The bill was referred to a select committee consisting of  
Messrs. Miller of M. and F., Leviston, and May.

By Mr. Yocum,

No. 376. A bill to incorporate the Kossuth bridge company ;

Which was read a first time, and passed to a second reading.

By Mr. Alley,

No. 377. A bill to amend the 38th section of Article 2, of chapter 15, of the Revised Statutes of 1843 ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion,

Referred to a select committee consisting of  
Messrs. Alley, Miller of Owen, and Rush.

By Mr. Ross,

No. 378. A bill to vacate a certain road therein named ;

Which was read a first and second times, the rule being suspended therefor, and

Ordered to be engrossed.

By Mr. Farnesly,

No. 379. A bill defining the duties of the Auditor and Treasurer of Floyd county, in the distribution of the several school funds in said county ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion,

Referred to a select committee consisting of  
Messrs. Farnesly, Spencer, and Withers.

By Mr. Thom,

No. 380. A bill to amend the road law in Jefferson county ;

Which was read a first and second times, the rule being suspended therefor, and

Ordered to be engrossed.

By Mr. Johnson,

No. 301. A bill relating to the Clerk's fees in the Probate Court in the county of Parke ;

Which was read a first and second times, the rule being suspended therefor.

Mr. Johnson moved to suspend the rule and read the bill a third time ;

Which motion did not prevail.

The bill was then ordered to be engrossed.

By Mr. Allen,

No. 382. A bill to amend an act entitled "An act to incorporate the town of Greencastle, in the county of Putnam," approved January 16th, 1849 ;

Which was read a first and second times, the rule being suspended therefor, and

Ordered to be engrossed.

By Mr. Shelby,

No. 383. A bill to provide for the appointment of guardians for children whose parents have become insane.

By Mr. Watkins,

No. 384. A bill relative to the settlement of estates.

By Mr. Hunter,

No. 385. A bill to amend the scire facias law.

Which were severally read a first and second times, the rule being suspended therefor, and,

On motion,

Referred to the committee on the judiciary.

By Mr. Wells,

No. 386. A bill to amend the charter of the Ohio and Mississippi Railroad Company ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion,

Referred to a select committee, consisting of

Mells, Prather, and Niblack.

By Mr. Chandler,

No. 387. A bill to repeal the law authorizing the township trustees of the county of Warren in the State of Indiana, to assess a tax ;

Which was read a first and second times, the rule being suspended therefor.

Mr. Chandler moved to suspend the rule, and read the bill a third time ;

Which motion did not prevail.

The bill was then ordered to be engrossed.

By Mr. Hillis,

No. 388. A bill to repeal certain sections of an act therein named ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion,

Referred to the committee on the judiciary.

By Mr. Greathouse,

No. 389. A bill to change the name of George Leade Stephens of Vanderburgh county ;

Which was read a first and second times, the rule being suspended therefor.

Mr. Greathouse moved to suspend the rule and read the bill a third time ;

Which motion did not prevail.

The bill was then ordered to be engrossed.

By Mr. Carnahan of Fountain,

No. 390. A bill to incorporate the Covington Draw Bridge Company ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion by Mr. Carnahan of F.,

Referred to the committee on corporations.

By Mr. Miller of Marshall and Fulton,

No. 391. A bill to extend the time of the sittings of the Probate Court of Fulton county ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion,

Referred to a select committee consisting of Messrs. Miller of M. and F., May, and Campbell.

By Mr. Orr,

No. 392. A bill to increase the per diem of witnesses before Justices' Courts.

Which was read a first and second times, the rule being suspended therefor, and,

On motion by Mr. Orr,

Referred to the committee on the judiciary.

By Mr. Brown of Randolph,

No. 393. A bill to repeal a certain act therein named, as far as the same applies to the county of Randolph ;

Which was read a first and second times, the rule being suspended therefor, and

Ordered to be engrossed.

By Mr. Bird,

No. 394. A bill concerning the easement of the valley mills in Allen county ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion by Mr. Bird,

Referred to the committee on the judiciary.

By Mr. Watkins,

No. 395. A bill to incorporate the St. Paul's Church and St. Joseph's School Society, in New Alsace, Dearborn county, State of Indiana ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion by Mr. Watkins,

Referred to a select committee consisting of Messrs. Watkins, Conaway, and Ross.

By Mr. Chandler,

No. 396. A bill to raise the salaries of the associate and probate judges of the county of Warren, in the State of Indiana;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee on the judiciary.

By Mr. Miller of Owen,

No. 397. A bill to change the mode of doing county business in the county of Owen;

Which was read a first and second times, the rules being suspended therefor.

Mr. Miller moved to suspend the rules and read the bill a third time.

Which motion did not prevail.

The bill was then ordered to be engrossed.

By Mr. Carnahan of Posey,

No. 398. A bill to amend section 27, of chapter 7, of the Revised Statutes of 1843, so far as the same relates to the counties of Greene and Posey;

Which was read a first and second times, and ordered to be engrossed.

By Mr. Greathouse,

No. 399. A bill to incorporate the Lamasco Manufacturing and Ship Yard Company;

Which was read a first time and passed to a second reading.

By Mr. May,

No. 400. A bill fixing at a uniform rate the fees of the recorders in the several counties of this State;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee on the judiciary.

By Mr. Edwards,

No. 401. A bill to authorize certain officers and other persons to administer certain oaths, and in other cases therein named;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee on the judiciary.

By Mr. Connor,

No. 402. A bill relative to elections in Perry county;

Which was read a first time and passed to a second reading.

By Mr. Allen,

No. 403. A bill to legalize the election of trustees of the town of Cloverdale, in Putnam county;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

By Mr. Cole,

No. 404. A bill authorizing the examining of witnesses in chancery cases in open court, in the same manner as in actions at law ;  
By Mr. Holcomb,

No. 405. A bill to amend the 10th section, chapter 26, of the Revised Statutes ;

Which were each read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee on the judiciary.

By Mr. Shepard,

No. 406. A bill to increase the pay of the probate judges of the counties of Knox, Kosciusko, and Randolph ;

Which was read a first and second times, the rules being suspended therefor.

Mr. Brown of Randolph moved to amend the bill by adding the county of Randolph.

Which motion prevailed.

The bill was then ordered to be engrossed.

By Mr. O'Neal,

No. 407. A bill to repeal part of an act entitled "an act to fix the time of holding courts in the first judicial circuit, and the probate court of Tippecanoe county," approved January 2d, 1849 ;

Which was read a first and second times, the rules being suspended therefor.

Mr. O'Neal moved to suspend the rules and read the bill a third time.

Which motion did not prevail.

The bill was then ordered to be engrossed.

By Mr. Hunter,

No. 408. A bill to dissolve the banns of matrimony between Robert B. Hardisty and Ellen Hardisty ;

Which was read a first time.

Mr. Prather moved to reject the bill.

Which motion prevailed.

By Mr. Millikan,

No. 409. A bill concerning crime and punishment ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee on the judiciary.

By Mr. Humphreys,

No. 410. A bill to reduce the fees of the recorder of Greene county ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

By Mr. Miller of M. and F.,

No. 411. A bill to authorize notaries public to solemnize marriages ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee on the judiciary.

By Mr. Niblack,

No. 412. A bill to amend an act entitled "an act to confine voters to their respective townships," approved January 13, 1845, so far as the same relates to the county of Martin ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

Mr. Niblack moved to suspend the rules and read the bill a third time.

Which motion did not prevail.

By Mr. Allen,

No. 413. A bill to amend the 11th article, — chapter, of the Revised Laws of 1843, so far as Putnam county is concerned ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

By Mr. Menaugh,

No. 414. A bill to change the name of Abraham Moore to that of Cyrus Moore Dunham ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

By Mr. Shelby,

No. 415. A bill to provide for the election of trustees of the town of Lafayette by single districts ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

By Mr. Murray,

No. 416. A bill to amend an act to incorporate the Peru and Indianapolis Railroad company, approved January 16, 1846 ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee on corporations.

By Mr. Murray,

No. 417. A bill for the relief of David Baker of Cass county ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the judiciary committee.

On motion by Mr. Orr,

The House adjourned to meet at 2 o'clock, P. M.



*Two o'clock, P. M.*

The House met.

ORDERS OF THE DAY.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill thereof:

No. 4. An act to provide for the call of a convention of the people of the State of Indiana to revise, amend, or alter the constitution of said State ;

In which the concurrence of the House is respectfully requested.

Which bill was read a first time.

On motion by Mr. Edwards,

The rules were suspended and the bill read a second time.

On motion by Mr. Edwards,

The bill was laid on the table, and one hundred copies ordered to be printed.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, with sundry amendments :

No. 30. An act to amend an act entitled "an act to incorporate the Harrison, Newtrenton, Rochester, and Brookville turnpike company," approved January 13, 1849 ;

No. 301. An at to incorporate the Danville, North Salem, and Crawfordsville Plank Road company ;

In which amendments, the concurrence of the House is respectfully requested.

On motion by Mr. Cleaver,

The engrossed amendment of the Senate to bill of the House No. 31, contained in the foregoing message, was concurred in by the House.

The question being on concurring in the engrossed amendment of the Senate to bill of the House No. 301, contained in the foregoing message,

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 103. An act to amend the charter of the City of Evansville ;

No. 167. An act to incorporate the Fort Wayne and Piqua Plank Road Company ;

No. 188. An act supplemental to an act, entitled " An act to incorporate the town of Mount Vernon," approved Jan. 27, 1847 ;

No. 211. An act to amend the 36th section of the 37th chapter of article 1 of the Revised Statutes of 1843 ;

No. 254. An act to amend the act, entitled " An act to incorporate the City of Fort Wayne ;"

No. 264. An act fixing the salaries of the Auditors of the counties of Owen and Greene ;

In which the concurrence of the House is respectfully requested.

The House then proceeded to the consideration of the Senate bills contained in the foregoing message.

No. 103. A bill to amend the charter of the City of Evansville ;

No. 167. A bill to incorporate the Fort Wayne and Piqua Plank Road Company ;

Were each read a first time and passed to a second reading.

No. 188. A bill supplemental to an act, entitled " An act to incorporate the town of Mount Vernon," approved Jan. 27, 1847 ;

Was read a first time.

On motion by Mr. Thomas,

The rule was suspended, the bill read a second time, and referred to a select committee, consisting of

Messrs. Thomas, Carnahan of Posey, and Cravens.

No. 211. A bill to amend the 36th section of the 37th chapter of article 1 of the Revised Statutes of 1843 ;

No. 254. A bill to amend the act, entitled " An act to incorporate the city of Fort Wayne ;"

No. 264. A bill fixing the salaries of the Auditors of the counties of Owen and Greene ;

Were severally read a first time and passed to a second reading.

#### HOUSE BILLS ON THIRD READING.

No. 43. A bill to provide for the election of township assessors in the county of Steuben ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 181. A bill to repeal in part an act, entitled "An act to increase and extend the benefits of Common Schools," approved Jan. 17, 1849;

Was read a third time.

Mr. Carnahan of Posey, moved to lay the bill on the table;

Which motion prevailed.

No. 225. A bill defining the duties of the Treasurer of Dearborn county, and other counties therein named, and other officers, in relation to the Common School Fund in said counties;

Was read a third time.

On motion by Mr. Ross,

The county of Franklin was inserted in the bill.

On motion by Mr. Byers,

The county of Clinton was added.

On motion by Mr. Holcomb,

The county of Gibson was added.

On motion by Mr. Wright,

The county of Switzerland was added.

The bill then passed.

Mr. Patterson moved to amend the title of the bill by adding, "and other counties therein named;"

Which motion prevailed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 227. A bill in relation to the Auditor of Warrick county;

No. 233. A bill to authorize the location of a State road on the county line of Porter and Lake counties;

Were each read a third time and passed.

No. 236. A bill to amend the 22d section of the 47th chapter of the Revised Statutes of 1843;

Was read a third time.

By unanimous consent the bill was amended by adding the county of Pike.

The bill then passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Chandler,

Bill of the House, No. 62, was taken from the table and placed upon the files of the House.

Mr. Cravens moved that the House adjourn;

Which motion did not prevail.

#### SENATE BILLS ON SECOND READING.

No. 84. A bill fixing the salaries of the Trustees of the Wabash and Erie Canal;

Was read a second time.

Mr. Edwards moved to refer the bill to the committee on canals and internal improvements ;

Which motion did not prevail.

On motion by Mr. Wilson,

The House adjourned.



SATURDAY MORNING, 9 O'CLOCK, JANUARY 5, 1850.

The House met.

Part of the journal having been read,

Mr. Robinson of Decatur, moved to dispense with the further reading ;

Which motion did not prevail.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, without amendment :

No. 171. An act to provide for a uniform mode of doing township business in Clay county.

#### SPECIAL ORDER OF THE DAY.

The hour having arrived, the following bill was taken up :

No. 7. A bill exempting homesteads from execution ;

The question being,

On the amendment reported by the select committee ;

Mr. Orr moved to concur in the amendment of the committee, with the following amendment :

After the word "State" near the bottom of the first section, insert :

"And any person not owning real estate shall have five hundred dollars worth of personal property, if said defendant be the holder of so much property at the time which ;"

Mr. Murray moved to indefinitely postpone the bill and pending amendments ;

On motion by Mr. Wilson,

The House adjourned to meet at 2 o'clock, P. M.

*Two o'clock, P. M.*

The House met.

SPECIAL ORDER OF THE DAY.

No. 7. A bill exempting homesteads from execution ;

The question being,

On the motion of Mr. Murray, to indefinitely postpone the bill—

On motion by Mr. Orr,

A call of the House was ordered.

On motion by Mr. Prather,

Mr. Carnahan of Posey was excused.

After some time being spent in the call—

On motion by Mr. Orr,

The absentees were sent for.

All the members appeared in their seats and answered to a call of their names, except Messrs. Menaugh, Niblack, O'Haver, Shelby, Thom and Thomas, and the members who had been previously excused.

Mr. Knowlton moved to dispense with a further call of the House ;

Which motion did not prevail.

On motion by Mr. Brown of R.,

A further call of the House was dispensed with.

Messrs. O'Haver, Shelby, Thom, Thomas, Niblack, and Menaugh, afterwards appeared in the Hall, and took their seats.

Mr. Murray withdrew the motion to indefinitely postpone.

The question then recurring,

On the motion to concur with the amendment of Mr. Orr ;

The ayes and noes being demanded by Messrs. Lane and Orr :

*Those who voted in the affirmative are,*

Messrs. Allen, Alley, Barker, Beard, Bird, Bowen, Brown of S., Burnet, Butler, Byers, Caldwell, Campbell, Chandler, Cleaver, Conaway, Conner, Cotton, Cravens, Defrees, Delavan, Dougherty of B., Dougherty of E., Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Goodwin, Greathouse, Harney, Hart, Harvey, Hicks, Hillis, Huey, Humphreys, Hunter, Johnson, Keeney, Landiss, Lane, Leviston, Mickle, Miller of M. and F., Miller of O., Millikin, Morrison, Murray, Niblack, O'Haver, O'Neal, Orr, Patterson, Prather, Reed, Richardson, Robinson of D., Robinson of L., Ross, Rush, Russell, Shelby, Shepard, Sherrod, Spencer, Stewart, Stoops, Sammers,

Thom, Thomas, Tinbrook, Warriner, Watkins, Weaver, Weir, Wilson, Withers, Whinery, Wright, and Yocum—82.

*Those who voted in the negative are,*

Messrs. Athon, Brown of R., Carnahan of F., Carnahan of P., Cole, Dodd, Graves, Hill, Holcomb, Knowlton, May, Menaugh, Salter, Stone, Wells, and Mr. Speaker—16.

So the House concurred in the amendment of the committee, with the amendment of Mr. Orr.

Mr. Wilson moved to amend by inserting in section 6, after the word "homestead :"

"Except such leases as may have been derived from the State ;"

Which motion prevailed.

Mr. Hillis moved to amend section second, as follows :

"*Provided*, That said lien or mortgage shall have attached, or been executed before the passage of this act ;"

On motion by Mr. Carnahan of Posey,

The amendment was laid on the table.

Mr. Salter moved to lay the bill on the table ,

The ayes and noes being demanded by Messrs. Orr and Mickle:

*Those who voted in the affirmative are,*

Messrs. Athon, Caldwell, Cravens, Dodd, Ellis, Essex, Farnesly, Greathouse, Harney, Hart, Hicks, Knowlton, Leviston, Menaugh, Niblack, O'Haver, Reed, Robinson of Decatur, Rush, Salter, Sherrod, Stewart, Stone, Summers, Weir, and Mr. Speaker—26.

*Those who voted in the negative are,*

Messrs. Allen, Alley, Barker, Beard, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Campbell, Carnahan of Fountain, Carnahan of Posey, Chandler, Cleaver, Cole, Connor, Cotton, Defrees, Delavan, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Gentry, Gessie, Goodwin, Graves, Harvey, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Landiss, Lane, May, Mickle, Miller of M. and F., Miller of Owen, Millikin, Morrison, Murray, O'Neal, Orr, Patterson, Prather, Richardson, Robinson of Laporte, Ross, Russell, Shelby, Shepard, Spencer, Stoops, Thom, Thomas, Tinbrook, Warriner, Watkins, Weaver, Wells, Wilson, Withers, Whinery, Wright, and Yocum—70.

So the bill was not laid on the table.

Mr. Salter moved to indefinitely postpone the bill.



The ayes and noes being demanded by Messrs. Patterson and Withers :

*Those who voted in the affirmative are,*

Messrs. Athon, Caldwell, Cravens, Dodd, Ellis, Essex, Farnesly, Greathouse, Harney, Hart, Hill, Landiss, Leviston, Niblack, O'Haver, Reed, Rush, Salter, Sherrod, Stewart, Stone, Summers, Weir, and Mr. Speaker—24.

*Those who voted in the negative are,*

Messrs. Allen, Alley, Barker, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Campbell, Carnahan of F. Carnahan of Posey, Chandler, Cleaver, Cole, Connor, Cotton, Defrees, Delavan, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Gentry, Gessie, Goodwin, Graves, Harvey, Hicks, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Lane, May, Menaugh, Mick'e, Miller of Marshall and Fulton, Miller of Owen, Millikin, Morrison, Murray, O'Neal, Orr, Patterson, Prather, Richardson, Robinson of Laporte, Ross Russell, Shelby, Shepard, Spencer, Stoops, Thom, Thomas, Tinbrook, Wariner, Watkins, Weaver, Wells, Wilson, Withers, Whinery, Wright, and Yocum—71.

So the bill was not indefinitely postponed.

Mr. Patterson moved to suspend the rules and read the bill a third time ;

Which motion did not prevail.

Mr. Salter moved that the House adjourn.

Which motion did not prevail.

Mr. Defrees moved to amend the first section as follows :

*Provided further,* That when the homesteads so claimed, shall exceed the amount of five hundred dollars, and the same cannot be divided so as to carry into effect the provisions of this act, such property so claimed, may be sold on execution, to the highest bidder, for a sum not less than one-half its appraised value, and the officer so selling such property, shall first return the defendant debtor, the sum of five hundred dollars out of the proceeds thereof, and the overplus to be applied on said execution ; *Provided, also,* That should there still be a surplus after satisfying such execution or executions, from such sale, the same shall be returned to the execution defendant.

Mr. Goodwin moved to lay the amendment on the table ;

Which motion did not prevail.

The question then being on the adoption of the amendment of Mr. Defrees,

Was decided in the affirmative.

Mr. Harney moved to amend by adding "that he shall have five additional acres exempted for every child he has in his family, or is likely to have."

On motion by Mr. Carnahan of Posey,

The amendment was laid on the table.

Mr. Niblack offered the following amendment :

Amend section 1 by adding—

*Provided*, That where any judgment debtor may not have either real or personal property, as the case may be, to the amount of five hundred dollars, the creditor or creditors who may improperly seek to enforce his or their claim or claims shall be required to make up the deficiency to said judgment debtor.

Mr. Orr called the previous question.

The question being, will the House second the call for the previous question ?

The ayes and noes being demanded by Messrs. Orr and Stoops :

*Those who voted in the affirmative are,*

Messrs. Allen, Alley, Athon, Barker, Beard, Bird, Brown of Randolph, Burnet, Butler, Byers, Campbell, Carnahan of Fountain, Carnahan of Posey, Chandler, Cleaver, Connor, Elder, Essex, Gentry, Goodwin, Graves, Harney, Hicks, Hill, Huey, Humphreys Knowlton, Landiss, Leviston, Morrison, O'Neal, Orr, Patterson, Robinson of Decatur, Ross, Shelby, Shepard, Spencer, Stoops, Thom, Thomas, Warriner, Wells, Wilson, Withers, Whinery, and Mr. Speaker—47.

*Those who voted in the negative are,*

Messrs. Bowen, Brown of Shelby, Caldwell, Cole, Conaway, Cotton, Cravens, Defrees, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Ellis, Farnesly, Greathouse, Hart, Hillis, Holcomb, Hunter, Johnson, Keeney, Lane, May, Menaugh, Mickel, Miller of Marshall and Fulton, Miller of Owen, Millikin, Murray, Niblack, O'Haver, Prather, Reed, Richardson, Robinson of Laporte, Rush, Russell, Salter, Sherrod, Stewart, Summers, Tinbrook, Weaver, Weir, Wright, and Yocum—47.

So the call of the previous question was not seconded.

The question then recurring on the adoption of the amendment proposed by Mr. Niblack ;

Mr. Shepard moved to lay the amendment on the table ;

Which motion prevailed.

Mr. Dougherty of Boone offered the following amendment :

Add the following :

"The provisions of this act shall not extend to any person or

persons removing with their personal property from the county in which he, she, or they shall have resided."

Mr. Hillis moved to lay the amendment on the table ;

Which motion prevailed.

Mr. Dodd moved to add the following section :

Sec. 9. From and after the taking effect of this act, all laws providing for the stay of execution and appraisement of property levied upon by execution are hereby repealed.

Mr. Patterson called for the previous question ;

Which was seconded by the House.

The question the being, "shall the main question be now put?"

Was decided in the affirmative.

The question then recurring on the main question, which was, "Shall the bill be engrossed?"

The ayes and noes being demanded by Messrs. Orr and Mickle :

*Those who voted in the affirmative are,*

Messrs. Allen, Alley, Barker, Beard, Bird, Bowen, Brown of R., Burnet, Butler, Carnahan of F., Carnahan of P., Chandler, Cleaver, Conaway, Conner, Cotton, Defrees, Delavan, Dougherty of B., Dougherty of E., Elder, Gentry, Gessie, Goodwin, Graves, Harvey, Holcomb, Huey, Humphreys, Hunter, Keeney, Lane, Mickle, Miller of O., Millikin, Morrison, Murray, O'Neal, Orr, Patterson, Robinson of L., Ross, Shelby, Shepard, Stoops, Thomas, Warriner, Weaver, Wells, Wilson, Withers, Whinery, and Wright—53.

*Those who voted in the negative are,*

Messrs. Athon, Brown of S., Byers, Caldwell, Cole, Cravens, Dodd, Edwards, Ellis, Essex, Farnesly, Greathouse, Harney, Hart, Hicks, Hill, Johnson, Knowlton, Landiss, Leviston, May, Menaugh, Niblack, O'Haver, Prather, Reed, Richardson, Robinson of D., Rush, Russell, Salter, Sherrod, Spencer, Stewart, Stone, Summers, Thom, Tinbrook, Weir, Yocum, and Mr. Speaker—41.

So the bill was ordered to be engrossed.

Before the vote was taken on the above question, Mr. Russell asked to be excused from voting ;

Which was not agreed to by the House.

Mr. Salter moved that the House adjourn.

Which motion did not prevail.

On motion by Mr. Carnahan of Fountain,

The order of business was suspended.

Mr. Carnahan of Fountain presented three petitions of citizens of the counties of Fountain and Warren, praying for an act to

attach certain territory in Fountain county to Warren county, and also to attach certain territory in Warren county to Fountain county ;

Which,

On motion,

Were referred to a select committee consisting of Messrs. Carnahan of Fountain, Chandler, and Harney.

On motion by Mr. Chandler,

The order of business was suspended.

Mr. Chandler presented several remonstrances against the annexation of territory in Warren county to Fountain county ;

Which,

On motion,

Were referred to a select committee consisting of Messrs. Carnahan of Fountain, Chandler, and Harney.

Mr. Elder moved to suspend the order of business ;

Which motion did not prevail.

On motion by Mr. Cole,

The House took from the table Senate bill

No. 4. A bill to provide for the call of a Convention of the people of the State of Indiana, to revise, amend, or alter the Constitution of said State,

And made the special order for Monday, at 10 o'clock, A.M.

#### ORDERS OF THE DAY.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills of the House, with sundry amendments :

No. 96. An act to amend an act to incorporate the Lagansport and Rochester Michigan Road Company, approved January 15th, 1846 ;

No. 113. An act to amend an act entitled an act to incorporate the Liberty and Brownsville Turnpike Company, approved February 12th, 1848 ;

In which amendments the concurrence of the House is respectfully requested.

The question being on concurring in the amendment of the Senate to bill of the House

No. 96. A bill to amend an act to incorporate the Logansport and Rochester Michigan Road Company, approved January 15th, 1846.

Mr. Murray moved that the House refuse to concur in the amendment of the Senate ;

Which motion did not prevail.

So the amendment of the Senate was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Ross,

The House adjourned till Monday morning 9 o'clock.

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MONDAY MORNING, 9 O'CLOCK, JANUARY 7, 1850.

The House met pursuant to adjournment.

The journal of the preceding day was read.

Mr. Butler moved to suspend the order of business and take up Senate bill No. 110 ;

Which motion did not prevail.

PETITIONS, &C., PRESENTED.

By Mr. Elder,

The petition of sundry citizens of Hagerstown, praying for an amendment to the incorporation of said town ;

Which,

On motion,

Was referred to a select committee consisting of

Messrs. Elder, Beard, and Butler.

By Mr. Gessie,

The petition of A. B. Sma'l, and others, for an additional justice of the peace in Vermillion county ;

Which,

On motion,

Was referred to a select committee consisting of

Messrs. Gessie, Thom, and Spencer.

By Mr. Weir,

The petition of sundry citizens of Fairbanks township, Sullivan county, relative to the foundation of a new school district ;

Which,

On motion,

Was referred to a select committee consisting of

Messrs. Weir, O'Haver, and Whinery.

By Mr. Whinery,

The petition of sundry citizens of the counties of Laporte and St. Joseph, to vacate a certain State road ;

Which,

On motion,

Was referred to the committee on roads.

By Mr. Whinery,

The petition of sundry citizens of Mount Pleasant and vicinity, St. Joseph county, to vacate said town ;

Which,

On motion,

Was referred the committee on corporations.

By Mr. Tinbrook,

The petition of sundry citizens of Westport, in Parke county, praying for the enactment of a law to change the name of said town to Howard ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Tinbrook, Johnson, and Carnahan of Fountain.

By Mr. Huey,

The petition of citizens of Blackford county, praying for the repeal of the law of the last session relative to the fees and salaries of officers in Blackford county ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Huey, Cole, and Mickle.

By Mr. Caldwell,

The petition of sundry citizens, praying for the incorporation of the town of Clarksville, in Clark county ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Caldwell, Athon, and Wells.

By Mr. Defrees,

The petition of sundry citizens of Elkhart county, to increase the pay of the probate judge of said county ;

Which,

On motion.

Was referred to a select committee consisting of Messrs. Defrees, Dougherty of Elkhart, and Landiss.

By Mr. Stoops,

The petition of sundry citizens of Hamilton county, on the subject of temperance ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Farnesly,

The petition of Charles Whitson, accompanied by the certificate of Richard Thompson and Patrick Flanagan ;

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Cole,

The petition of citizens of Miami county, to change the name of White Hall to that of Waupecong ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Cole, Niblack, and Huey.

By Mr. Murray,

The remonstrance of sundry citizens of Howard county, against the passage of a law making all lands taxable which have been sold by the General Governmen since January 26, 1847 ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Murray, Millikan, and Morrison.

By Mr. Bird,

Several petitions of citizens of Allen, Lagrange, and Wells counties, praying for the passage of a law compelling retail pedlars to pay a license ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Bird, Cotton, and Dougherty of Boone.

REPORTS FROM COMMITTEES.

Mr. Elder, from the committee on ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means, to whom was referred No 314 of the House of Representatives, " a bill authorizing Henry Carney to build a bridge in Jennings county, and for other purposes," have had the same under consideration, and have instructed me to report the bill to the House and recommend its indefinite postponement, and ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Robinson of Decatur, from the committee on ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means to whom was referred a petition on the subject of the French spoliations, have directed me to report that owing to the want of time they have not had an oppor-

tunity of examining the subject, and have therefore instructed me to report the same to the House and recommend that it be laid on the table.

Which report was concurred in.

Mr. Mickle, chairman of the committee on ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means have instructed me to report the following bill, and respectfully ask its passage :

No. 418. A bill making general appropriations for the year 1850 ;

Which was read a first time and passed to a second reading.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred two resolutions of the House, requiring said committee to inquire into the constitutionality of the act entitled "an act to increase and extend the benefits of common schools," approved January 17, 1849, and whether any action on the part of this House is necessary to make the same a valid law, have had the subject of said resolutions under consideration, and have directed me to report that, although not prepared to decide the law referred to as unconstitutional, the authorities which the committee have had the leisure to consult have raised such serious doubts in their minds on the subject, as to elicit a recommendation of the passage of an declaring the act mentioned in said resolutions to be in force in those counties having by a majority vote declared in favor of said law.

The committee deem it unnecessary to give their views on the constitutional question presented by said resolution at length. Nor do they accompany this report with a bill in accordance with the above recommended declaratory amendment; inasmuch as this committee are prepared to report back to the House a bill on that subject, heretofore referred to them, which it is believed fully meets the objects contemplated in the above mentioned resolution.

And the committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary to which was referred bill of the House No. 287, entitled "an act declaring an act entitled 'an act to increase and extend the benefits of common schools,' approved January 17, 1849, to be in force in certain counties, and for other purposes," have had the same under consideration, and have directed me to report it back to the House with the following amendments thereto, and when said amendments are adopted, the passage of said bill is recommended :

Amend as follows—

First. After the word "same" in the third line second section insert the following : "And all proceedings of the County Auditors, County Treasurers, township and district officers, and the election and appointment of such township and district officers under said law.

Second. Add to third line the following—

Provided, Nothing in this act shall be so construed as to affect or in way or manner disturb the distribution of the school moneys under the school laws heretofore in force in any of the aforesaid counties, when a school tax was not levied for the year 1849.

Which amendment was adopted.

On motion by Mr. Morrison,

The county of Scott was stricken from the provisions of the bill.

Mr. Edwards moved to amend the bill by making the law general.

Mr. Orr moved to lay the bill on the table ;

Which motion did not prevail.

The question then being on the adoption of the amendment of Mr. Edwards,

Was decided in the negative.

The bill as amended was ordered to be engrossed.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred bill No. 417, entitled a bill for the relief of David Baker of Cass county, have had the same under consideration, and have instructed me to report the same back and respectfully recommend its passage.

Which bill was ordered to be engrossed.

Mr. Spencer, from a select committee, made the following report:

MR. SPEAKER :

The committee on the judiciary, to whom was referred House
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bill No. 239, have considered the same, and directed me to report it back to the House without amendment, and recommend its passage :

No. 239. A bill to amend the 224th section of the 30th chapter of the Revised Statutes of 1843 ;

Which bill was ordered to be engrossed.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House No. 411, entitled "A bill to authorize notaries public to solemnize marriages," have directed me to report the same to the House as inexpedient to legislate upon, and recommend that it be laid upon the table.

Which report was concurred in.

Mr. Chandler, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred the House bill No. 396, entitled "An act to raise the salaries of the associate and probate judges of Warren county," have had the same under consideration, and have directed me to report the bill back without amendments, and recommend its passage.

Which bill was ordered to be engrossed.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred bill No. 409, entitled "An act concerning crimes and punishment," have had the same under consideration, and have instructed me to report the same back, and to recommend its passage.

Which bill was ordered to be engrossed.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill No. 224, have had the same under consideration, and have directed me to report the same back, and recommend its passage.

No. 224. A bill providing for an appeal from the several boards of county commissioners in this State, in certain cases therein named ;

Which bill was ordered to be engrossed.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 360, entitled "A bill for the relief of orphan children," requiring the grand parents of children under ten years of age, whose parents are deceased, to support and maintain such children until they arrive at the age of ten years, have directed me to report the same to the House as inexpedient to legislate upon, and recommend that it be laid upon the table.

Which report was concurred in.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred bill No. 401, "A bill to authorize certain officers and other persons to administer certain oaths, and in other cases therein specified," have had the same under consideration, and have instructed me to report the same back, and recommend its indefinite postponement.

Which report was not concurred in.

The bill was ordered to be engrossed.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to which was referred House bill No. 240, have had the same under consideration, and have directed me to report the same back, and recommend its passage.

No. 240. A bill declaratory of the meaning of Sections 39, 40, 41, 42, 43, and 44, Chapter 29, of the Revised Statutes of 1843.

The question then being

On the engrossment of the bill,

Was decided in the negative.

Mr. Brown of Shelby, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House No. 170, have, according to direction, had that subject under consideration, and directed me to report that, in the opinion of said committee, it is inexpedient to legislate on that subject, and ask to be discharged from the further consideration of said bill.

No. 170. A bill to establish a Sinking Fund to pay the State debt.

Which report was concurred in.

Mr. Brown of Randolph, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred bill of the House No. 338, to repeal certain sections of an act therein named, have had the same under consideration, and instructed me to report the same back to the House without any amendments, and recommend its passage.

Which bill was ordered to be engrossed.

Mr. Brown of Randolph, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred bill of the House No. 392, to increase the per diem allowance of witnesses before justices of the peace, have had the same under consideration, and directed me to report that it is inexpedient to legislate on the subject ; they therefore recommend the indefinite postponement of said bill, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House without amendment :

No. 248. An act to dispose of the equity of redemption of the State of Indiana in the White Water Valley Canal, and for other purposes.

SPECIAL ORDER OF THE DAY.

The hour having arrived, the House took up the following Senate bill:

No. 4. A bill to provide for the call of a convention of the people of the State of Indiana, to revise, amend, or alter the constitution of said State.

On motion by Mr. Brown of Randolph,

The special order of the day was postponed to 2 o'clock, P. M.

Mr. Brown of Randolph, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee, to whom was referred House bill No. 400, establishing a uniform rate of fees of the recorders in the several counties of this State, have had the same under consideration and have directed me to report that it is inexpedient to legislate on the subject. They therefore recommend the indefinite postponement of said bill, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Cravens, chairman of the committee on military affairs, made the following report:

MR. SPEAKER:

The standing committee to whom was referred the communication of the Quarter Master General, in answer to a resolution of the House, have had the same under consideration, and have in accordance with the suggestions therein contained, directed me to report the following bill and recommend its passage:

No. 419. An act explanatory of the 20th section of an act to amend an act entitled "an act approved January 10th, 1831, and to revise and amend the laws authorizing the formation of companies of independent militia by voluntary enlistment," approved January 15, 1844;

Which was read a first time and passed to a second reading.

Mr. Dodd, from the committee on military affairs, made the following report:

MR. SPEAKER :

The committee on military affairs, to whom was referred the subject of devising means by which the State may receive the quota of arms to which she is entitled, from the United States, have instructed me to report the following joint resolution, and recommend its passage :

No. 420. A joint resolution to enable the State of Indiana to draw arms and equipments from the United States ;

Which was read a first time, and passed to a second reading.

Mr. Dodd, from the committee on military affairs, made the following report :

MR. SPEAKER :

The committee on military affairs, to whom was referred a resolution inquiring into the propriety of abolishing the office of Adjutant General, have instructed me to report that in their opinion legislation on that subject is inexpedient.

Which report was concurred in.

Mr. Hart, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The standing committee on roads, to whom was referred the petition of certain citizens of the counties of Marshall and Kosciusko, praying the location of a certain state road, have had said petition under consideration, and have instructed me to report the following bill in pursuance of the prayer of said petitioners, and to respectfully recommend its passage :

No. 421. A bill to locate a state road from Warsaw to Plymouth ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Dougherty of Elkhart, from the committee on canals and internal improvements, made the following report :

MR. SPEAKER :

The committee on canals and internal improvements, to whom was referred sundry resolutions instructing them to inquire into the expediency of providing for the sale of the Northern Division of the

Central Canal, have had that subject under consideration and have directed me to report the following bill and recommend its passage:

No. 422. A bill to authorize the Governor of Indiana to compromise with, and cause suit to be brought against, the lessees of the water power of the Northern Division of the Central Canal;

Which was read a first time and passed to a second reading.

On motion by Mr. Hillis,

The rules were suspended and the bill read a second time.

Mr. Bird moved to suspend the rules and read the bill a third time.

Which motion did not prevail.

Mr. Chandler moved to strike out all that part of the bill which provides for the sale of the canal.

Mr. Dougherty of Elkhart moved to amend by adding after the word "rents," in the fourth section, the words "which shall become due after the sale of the said property and the."

Which motion prevailed.

The question then being on the amendment of Mr. Chandler, It was decided in the negative.

Mr. Chandler moved to amend the bill by inserting after the words "a bond with ample security," the words "with a mortgage on the canal rents, issues, and profits."

Mr. Niblack moved to amend the amendment by adding:

"Provided, That if a mortgage should be taken on said canal, that the State shall not, in default of payment, be permitted to foreclose said mortgage, or to take the same back in any part in payment;"

Mr. Lane called the previous question,
Which call was seconded by the House.

The question being,

"Shall the main question be now put?"

Was decided in the affirmative.

The question then being on the main question, which was

"Shall the bill be engrossed?"

Was decided in the affirmative.

On motion by Mr. Wilson,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Leviston, chairman of the committee on corporations, made the following report:

MR. SPEAKER:

The committee on corporations, to whom was referred the petition of sundry citizens of the town of Terre Haute, praying an

amendment to the charter of said town, so as to provide for the election of the offices of Clerk and Marshall of said town, by the qualified voters thereof, have had the same under consideration, and instructed me to report back to the House the following bill, and recommend its passage:

No. 423. A bill changing the mode of electing the Clerk and Marshall of the town of Terre Haute;

Was read three several times, the rules being suspended therefor, and passed.

Ordered. That the Clerk inform the Senate thereof.

Mr. MURRAY, from the committee on corporations, made the following report:

MR. SPEAKER:

The committee on corporations to which was referred House bill No. 390, "a bill to incorporate the Covington Draw Bridge Company," have had the same under consideration, and directed me to report the same back, with two amendments, upon the adoption of which, they respectfully recommend its passage.

Amend the first section by adding in the proper place:

"And such other persons as they may associate with them."

Amend the 9th section by striking out "five," in second line, and insert "four;"

Which amendments were adopted.

The bill as amended was ordered to be engrossed.

On motion by Mr. Carnahan of Posey,

The rules were suspended, the bill read a third time, and passed.

Ordered. That the Clerk inform the Senate thereof.

Mr. FARNESLY, from the committee on corporations, made the following report:

MR. SPEAKER:

The committee on corporations to whom was referred House bill No. 364, "a bill to incorporate the Fort Wayne and Wolf Lake Turnpike Company," have had the same under consideration, and have directed me to report the same, without amendment, and recommend its passage.

Which report was concurred in;

And the bill ordered to be engrossed.

Mr. Withers, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the Senate No. 82, entitled "an act to amend an act entitled, an act to incorporate the city of Richmond, Wayne county, Indiana," approved February 24th, 1840, have had the same under consideration, and a majority of said committee have instructed me to report the same back, with sundry amendments, and when so amended, they recommend its passage.

Amend as follows :

"Strike out the 2d section of said bill."

Amend 7th section by inserting after the words "contrary to law," the words "the common council of ;"

Which amendments were concurred in.

The bill as amended was ordered to be engrossed.

On motion by Mr. Butler,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Whinery, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill No. 416, "An act to amend an act to incorporate the Peru and Indianapolis Railroad Company," have had the same under consideration, and instructed me to report the same back without amendment, and recommend its passage.

Which report was concurred in.

On motion by Mr. Murray,

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House, No. 365, entitled "An act to amend an act, entitled an act to amend the charter of the Milford and Columbus Railroad Com-

pany;" have had the same under consideration, and have directed me to report the bill back to the House without amendment, and respectfully recommend its passage.

Which report was concurred in.

On motion by Mr. Brown of Shelby,

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Brown of Randolph, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred the petition and remonstrance of sundry citizens of the county of Putnam, in relation to the expediency of striking off a portion of the town of Greencastle, in said county, from the residue of said town, so that the part stricken off shall not be subject to the act of incorporation passed for the government of said town of Greencastle, have had the same under consideration, and have directed me to report that it is inexpedient to grant the prayer of the said petitioners, and they ask to be discharged from the further consideration of said subject.

Which report was concurred in.

Mr. Brown of Randolph, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House, No. 309, to amend an act, entitled "An act to incorporate the Rushville and Lawrenceburg Railroad Company," have had the same under consideration, and directed me to report the same back to the House, with the following amendments :

First amendment—

Strike out the fourth section and insert the following :

"It shall be lawful for said company to construct a branch of their said Railroad from Greensburgh, in Decatur county, by way of St. Omer, Shelbyville, and Pleasant View, to Indianapolis, in Marion county. It shall also be lawful for said Company to construct a branch of said Railroad from Lawrenceburgh, in Dearborn county, to the State line of said State of Indiana, in the direction of Cincinnati, or to the City of Cincinnati, if the right of way can be obtained for that purpose, or to make any arrangement with any other Company or corporation for the continuation of said Railroad

"from Lawrenceburgh to Cincinnati that may be for the interests of said Company, and the said Company is hereby authorized to increase its capital stock to any amount necessary for the prosecution of the aforesaid extensions."

Amend by adding the following section :

"It shall be allowable for the cars of any of the Railroads centering at Shelbyville, to run over the track of said Railroad from Shelbyville to Lawrenceburgh or to Cincinnati, the Companies owning the same paying such compensation therefor as shall be agreed upon between the parties, or if such parties cannot agree, the amount of compensation shall be determined by three disinterested arbitrators, one being selected by each party, and they two selecting a third, and their decision shall be binding between the parties."

On motion,

The House proceeded to the consideration of the amendments of the committee separately.

The question being on concurring in the first amendment of the committee,

Mr. Hillis moved to strike out so much of said amendment as authorized the construction of said road from the town of Lawrenceburgh to the State line and to connect with a Company from Cincinnati ;

Which motion did not prevail.

On motion by Mr. Hillis,

A call of the House was ordered.

On motion by Mr. Murray,

Messrs. O'Neal, Patterson, and Shelby were excused.

On motion by Mr. Lank,

Mr. Campbell was excused.

Having proceeded with the call all the members answered to their names except Messrs. Defrees, Dougherty of Elkhart, Goodwin, Harney, and Watkins, and those heretofore excused.

On motion by Mr. Robinson of Decatur,

The further call of the House was dispensed with, the absentees being in their seats.

The question then being on concurring in the first amendment of the committee.

The ayes and noes were demanded by Messrs. Prather and Farnesly :

On motion by Mr. Weir,

The House adjourned till 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

On motion by Mr. Holcomb,
The order of business was suspended.

Mr. Holcomb introduced

No. 424. A bill to amend an act, entitled "an act to revise and consolidate the several acts of the General Assembly relative to laying out, opening, repairing, changing, and vacating public highways, and the erection and repairing of bridges and to amend the same," approved January 17, 1849, so far as relates to Gibson county;

Which was read a first and second times, the rule being suspended therefor, and ordered to be engrossed.

Mr. Chandler moved to suspend the special order for one hour.

Which motion did not prevail.

Mr. Cleaver moved to suspend the order of business.

Which motion did not prevail.

SPECIAL ORDER OF THE DAY.

No. 4. A bill to provide for the call of a Convention of the State of Indiana, to revise, amend, or alter, the Constitution of said State.

Mr. Lane offered the following amendment:

Amend by striking out all of the second section, after the word "Senate," and substituting in lieu thereof, the following:

"Who shall be apportioned in the same manner that members of the State Senate shall then by law be apportioned, and they shall be chosen in the same method, at the same places and by the same electors, that choose the State Senate. No person shall be eligible to a seat in said Convention who is not eligible to a seat in the House of Representatives of the State of Indiana."

Mr. Elder moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Lane, and Robinson of Decatur:

Those who voted in the affirmative were,

Messrs. Athon, Barker, Beard, Brown of R., Brown of Shelby, Burnet, Butler, Byers, Caldwell, Carnahan of Fountain, Carnahan of Posey, Cleaver, Cole, Conaway, Cotton, Defrees, Dodd, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Graves, Harney, Harvey, Hicks, Holcomb, Huey, Hunter, Johnson, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Millikan, Morrison, O'Haver, O'Neal, Patterson, Prather, Richardson,

Robinson of Laporte, Ross, Russell, Salter, Sherrod, Spencer, Stoops, Thomas, Warriner, Watkins, Weaver, Wells, Weir, Wilson, Withers, Wright, Yocum, and Mr. Speaker—60.

Those who voted in the negative were,

Messrs. Allen, Alley, Bird, Bowen, Campbell, Chandler, Cravens, Delavan, Dougherty of Boone, Goodwin, Greathouse, Hart, Hill, Hillis, Humphreys, Keeney, Knowlton, Landiss, Lane, Menaugh, Miller of Owen, Murray, Niblack, Orr, Reed, Robinson of Decatur, Rush, Shelby, Shepard, Stewart, Stone, Summers, Thom, Tinbrook, and Whinery—35.

So the amendment was laid on the table.

Mr. Dougherty of Boone, offered the following amendment :

Amend the second section by striking out of the seventh line, the following words :

“Entitled to vote by this act, for delegates,” and insert in lieu thereof, the following words : “Eligible to a seat in the House of Representatives of the General Assembly.”

Mr. Butler moved to amend the amendment to section 2d, so as to read as follows :

“That said Convention shall consist of a number of delegates equal to the whole number of members composing the House of Representatives of this State, who shall be apportioned in the same manner that members of the House of Representatives, shall then be by law apportioned, and they shall be chosen in the same method, and at the same places, and by the same electors that choose the General Assembly, and all persons entitled to vote by this act for delegates, shall be eligible to be elected to a seat in said Convention ; *Provided, however,* That no office holder under the State Constitution shall hold a seat or office in said Convention, and any office holder taking or holding an office or seat in said convention, contrary to law, shall thereby forfeit his office under the State Constitution, and the same is hereby vacated ; and it is hereby made the duty of the Governor to cause such vacancy to be filled in the mode and manner now provided by law.”

Mr. Dougherty of Elkhart, called the previous question.

Which call was not seconded by the House.

Mr. Mickle moved that the House adjourn ;

Which motion did not prevail.

Mr. Holcomb moved to lay the amendment and the amendment to the amendment on the table.

On motion by Mr. Wilson,

The House adjourned.

TUESDAY MORNING, 9 O'CLOCK, JANUARY 8, 1850.

The House met.

SPECIAL ORDER.

Senate bill,

No. 4. A bill to provide for the call of a convention of the people of the State of Indiana, to revise, amend, or alter the Constitution of said State.

The question being on the motion of Mr. Holcomb, to lay the amendment offered by Mr. Dougherty of Boone, and the amendment to the amendment, on the table,

Mr. Holcomb withdrew the motion to lay on the table.

Mr. Holcomb moved to lay the amendment to the amendment on the table.

On motion by Mr. Lane,

A call of the House was ordered.

After spending some time in the call—

Mr. Orr moved that the absentees be sent for ;

Which motion prevailed.

The Clerk again proceeded with the call—

When all the members appeared and answered to their names, except Messrs. Gessie, Goodwin, Hunter, Russell, Stewart, and the members previously excused.

On motion by Mr. Prather,

A further call of the House was dispensed with.

The question being on laying the amendment to the amendment on the table,

The ayes and noes being demanded by Messrs. Lane and Butler :

Those who voted in the affirmative were,

Messrs. Barker, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Byers, Caldwell, Carnahan of Fountain, Carnahan of Posey, Chandler, Cleaver, Cole, Conaway, Cravens, Defrees, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Goodwin, Graves, Great-house, Harney, Hart, Harvey, Hicks, Hillis, Holcomb, Humphreys, Hunter, Johnson, Knowlton, Landiss, Lank, Leviston, May, Me-naugh, Mickie, Miller of M. and F., Murray, Niblack, O'Haver, Orr, Patterson, Richardson, Ross, Shepard, Sherrod, Spencer, Stoops, Thom, Thomas, Warriner, Watkins, Weaver, Weir, Wilson, Withers, Whinery, Wright, Yocum, and Mr. Speaker—69.

Those who voted in the negative were,

Messrs. Allen, Alley, Athon, Beard, Butler, Campbell, Connor, Cotton, Delavan, Hill, Huey, Keeney, Lane, Miller of O., Millikin, Morrison, O'Neal, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Rush, Salter, Shelby, Stewart, Stone, Summers, Tinbrook, and Wells—29.

So the amendment to the amendment was laid on the table.

Mr. Cotton moved to amend the amendment, by inserting the following :

"Provided, That in addition to that number, there shall be one delegate elected from each county, where two or more counties form a representative district."

On motion by Mr. Elder,

The amendment to the amendment was laid on the table.

Mr. Elder moved to lay the amendment of Mr. Dougherty of Boone, on the table.

The ayes and noes being demanded by Messrs. Cravens and Farnsley :

Those who voted in the affirmative were,

Messrs. Athon, Barker, Beard, Bird, Brown of Randolph, Carnahan of Fountain, Carnahan of Posey, Connor, Defrees, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Graves, Harney, Hart, Holcomb, Johnson, Landiss, Lank, Mickle, Murray, Niblack, O'Haver, Prather, Richardson, Russell, Sherrod, Spencer, Stewart, Warriner, Wells, Withers, Whinery, Wright, and Mr. Speaker—40.

Those who voted in the negative were,

Messrs. Allen, Alley, Bowen, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Campbell, Chandler, Cleaver, Cole, Conaway, Cotton, Cravens, Delavan, Dodd, Dougherty of Boone, Gessie, Goodwin, Greathouse, Harvey, Hicks, Hill, Hillis, Huey, Humphreys, Hunter, Keeney, Knowlton, Lane, Leviston, May, Menaugh, Miller of Marshall and Fulton, Miller of O., Millikin, O'Neal, Orr, Patterson, Reed, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Salter, Shelby, Shepard, Stone, Stoops, Summers, Thom, Thomas, Tinbrook, Watkins, Weaver, Weir, Wilson, and Yocum—60.

So the amendment was not laid on the table.

The question then being on the amendment of Mr. Dougherty of Boone,

The ayes and noes being demanded by Messrs Orr and Elder :

Those who voted in the affirmative were,

Messrs. Allen, Alley, Bowen, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Campbell, Cleaver, Cole, Conaway, Cotton, Cravens, Delavan, Dodd, Dougherty of Boone, Gessie, Goodwin, Great-house, Harvey, Hicks, Hill, Hillis, Huey, Humphreys, Keeney, Knowlton, Lane, Leviston, May, Menaugh, Miller of M. and F., Miller of Owen, Millikin, Morrison, O'Neal, Orr, Patterson, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Salter, Shelby, Shepard, Stone, Stoops, Summers, Thom, Thomas, Tinbrook, Watkins, Weaver, Weir, Wilson, and Yocum—60.

Those who voted in the negative were,

Messrs. Athon, Barker, Beard, Bird, Brown of Randolph, Carnahan of Fountain, Carnahan of Posey, Connor, Defrees, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Graves, Harney, Hart, Holcomb, Johnson, Landiss, Lank, Mickle, Murray, Niblack, O'Haver, Richardson, Russell, Sherrod, Spencer, Stewart, Warriner, Wells, Withers, Whinery Wright, and Mr. Speaker—36.

So the amendment was adopted.

Mr. Chandler moved to amend by adding thereunto the following proviso :

Provided, however, That where two or more counties form one Representative District, then each county in said district shall be entitled to one delegate and no more.

Mr. Holcomb moved to amend the amendment by adding the following :

"That each organized county in the State shall be entitled to elect one delegate, and all counties now entitled to two or more members in the House of Representatives at each session of the Legislature shall each be entitled to two delegates in said Convention."

Mr. Shepard moved to lay the amendment and the amendment to the amendment on the table.

A division of the question being called for ;

The question being on laying the amendment to the amendment on the table ;

Was decided in the affirmative.

The question then recurring on laying the amendment of Mr. Chandler on the table ;

Was decided in the affirmative.

Mr. Murray moved to strike out all of the second section which provides for the Representation in said Convention, and insert the following :

“That the said delegates to said Convention shall be elected by Representative Districts, as appointed for 1850. Districts polling less than 2000 votes for President in 1848, one delegate; 2000 and less than 3000, two delegates; 3000 and less than 4000, three delegates; 4000 votes and over, four delegates.”

Mr. Lane moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Murray and Connor:

Those who voted in the affirmative were,

Messrs. Allen, Alley, Athon, Barker, Bird, Brown of Randolph, Brown of Shelby, Byers, Caldwell, Carnahan of Posey, Chandler, Cleaver, Cole, Cotton, Cravens, Defrees, Dodd, Dougherty of Boone, Dougherty of Elkhart, Elder, Ellis, Essex, Farnesly, Gentry, Graves, Greathouse, Hart, Harvey, Hicks, Hill, Holcomb, Huey, Humphreys, Hunter, Keeney, Lane, Leviston, May, Menaugh, Mickle, Miller of Marshall and Fulton, Miller of Owen, Patterson, Richardson, Rush, Salter, Shepard, Sherred, Spencer, Stone, Stoops, Summers, Thomas, Warriner, Watkins, Weaver, Withers and Yocum—58.

Those who voted in the negative were,

Messrs. Beard, Bowen, Burnet, Butler, Campbell, Carnahan of Fountain, Connor, Delavan, Edwards, Gessie, Goodwin, Harney, Hillis, Johnson, Knowlton, Lank, Millikin, Morrison, Murray, Niblack, O'Haver, O'Neal, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Russell, Shelby, Stewart, Thom, Tinbrook, Wells, Weir, Whinery, Wright and Mr. Speaker—38.

So the amendment was laid on the table.

Mr. Richardson moved to amend the second section as follows:

Strike out the word “Senate,” and in the second line, strike out all of said section after the word “provided,” in the eighth line.

Mr. Weir offered the following amendment to the amendment:

Amend the second section by striking out the word “alone,” in the ninth line, and add, after the word “Tipton,” the following:

“And that the county of Sullivan shall alone elect the Senatorial Delegate in the Senatorial District composed of the county of Sullivan, Vigo, and Clay.”

On motion by Mr. Edwards,

The amendment to the amendment was laid on the table.

On motion by Mr. Weir.

The amendment was laid on the table.

Mr. Mickle offered the following amendment:

Amend by striking out all of section three after the word "delegates," in the 13th line ; also, all of section four, five, and six, and insert : " Said election shall be conducted, returns made, and certificates given, by the same officers, at the same time, and in the same manner that elections are held, returns made, and certificates given in elections for members of the Senate and House of Representatives."

Which was not adopted.

Mr. O'Haver moved to add to 2d section the following :

And that the qualified voters of the counties of Vigo and Sullivan, be and they are hereby entitled to elect two delegates each, and no more, upon the basis of the representation in the General Assembly of the State of Indiana, for the years 1849 and 1850 ;

Mr. Edwards moved to lay the amendment on the table ;

The ayes and noes being demanded by Messrs. Weir and O'Haver:

Those who voted in the affirmative were,

Messrs. Allen, Alley, Athon, Barker, Bird, Bowen, Brown of Randolph, Burnet, Butler, Byers, Caldwell, Campbell, Carnahan of Posey, Cleaver, Cole, Conaway, Connor, Cravens, Defrees, Dodd, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Graves, Greathouse, Hart, Harvey, Hicks, Hill, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Landiss, Lane, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Milikin, Morrison, Murray, O'Neal, Orr, Patterson, Reed, Richardson, Robinson of Laporte, Ross, Rush, Russell, Shelby, Sherrod, Stewart, Stone, Stoops, Summers, Thomas, Tinbrook, Watkins, Wilson, Withers, and Wright—71.

Those who voted in the negative were,

Messrs. Beard, Chandler, Cotton, Delavan, Dougherty of Boone, Harney, Hillis, Holcomb, Menaugh, Niblack, O'Haver, Prather, Salter, Spencer, Thom, Wells, Weir, Whinery, Yocum, and Mr. Speaker—20.

So the amendment was laid on the table.

Mr. Niblack moved to amend section second by adding as follows ;

And provided further, That the counties of Daviess and Martin shall elect one delegate each separately, instead of two delegates jointly, as above contemplated in this section.

Mr. Leviston offered the following amendment to the amendment :

Amend the second section by adding to the end thereof the following :

"And that the county of Union alone elect the Senatorial Delegate in the Senatorial District composed of the counties of Fayette and Union ;

Which amendment to the amendment was not adopted.

The question then recurring,

On the amendment of Mr. Niblack,

Was decided in the affirmative.

Graves moved to strike out all of section 2, except the proviso, and insert the following ;

"The said committee shall consist of a number of Delegates equal to the whole number of members comprising the Senate and House of Representatives of this State, who shall be apportioned in the same manner that members of the General Assembly shall then be by law apportioned, and they shall be chosen in the same method, at the same places, and by the same electors that choose the General Assembly, and the said Convention shall judge of the election and qualifications of its own members."

Mr. Cravens called for the previous question,

Which was seconded by the House.

On motion by Mr. Cravens,

The vote on seconding the previous question was reconsidered.

The question then recurring,

On seconding the call of the previous question,

Was decided in the negative.

On motion by Mr. Dougherty of Boone,

The amendment of Mr. Graves was laid on the table.

Mr. Dougherty of Boone moved to reconsider the vote on the adoption of the amendment to the second section of the bill ;

Which motion prevailed.

The question then being,

On the adoption of the following amendment :

Amend the second section by striking out of the seventh line the following words :

"Entitled to vote by this act for delegates."

And insert in lieu thereof the following:

"Eligible to a seat in the House of Representatives of the General Assembly."

Mr. Dougherty of Boone moved to amend the amendment by striking out the word "seven" and inserting "nine" in lieu thereof ;

Which motion prevailed.

Mr. Salter moved to amend the amendment by adding the following proviso to the second section :

Provided, further, That where four or more counties form one Representative district, that such district of counties shall be entitled to at least two delegates in said convention.

Mr. Carnahan of Posey moved to lay the amendment and the amendment to the amendment on the table.

The division of the question being called for,

The question was first taken on laying the amendment to the amendment on the table.

Was decided in the affirmative.

The question then recurred on laying the amendment of Mr. Dougherty of Boone, on the table.

The ayes and noes being demanded by Messrs. Gentry and Carnahan of Posey,

Those who voted in the affirmative were,

Messrs. Athon, Barker, Carnahan of Fountain, Carnahan of Posey, Connor, Defrees, Dougherty of Elkhart, Elder, Ellis, Essex, Farnesley, Gentry, Graves, Holcomb, Landiss, Lank, Mickle, Murray, Niblack, O'Haver, Richardson, Russell, Sherrod, Spencer, Warriner, Watkins, Wells, Withers, Whinery, Wright, and Mr. Speaker—30.

Those who voted in the negative were,

Messrs. Alley, Beard, Bird, Bowen, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Campbell, Chandler, Cleaver, Cole, Conaway, Cotton, Cravens, Delavan, Dodd, Dougherty of Boone, Edwards, Gessie, Goodwin, Greathouse, Harvey, Hicks, Hill, Hillis, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Lane, Leviston, May, Menaugh, Miller of Marshall and Fulton, Miller of Owen, Millikan, Morrison, O'Neal, Orr, Patterson, Reed, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Salter, Shelby, Shepard, Stewart, Stone, Stoops, Summers, Thom, Thomas, Tinbrook, Weaver, Weir, Wilson, and Yocum—64.

So the amendment was not laid on the table.

Mr. Withers moved a call of the previous question,

Which was not seconded by the House.

Mr. Miller of M. and F. moved to amend the amendment by striking out all section second, after the word "consist," in the first line, and insert the following, including the amendment to which this is an amendment :

"Of one delegate from each county, one additional one for each county containing over 1600 polls, one additional one for each county containing over 2800 polls, made and appointed according

to the polls or votes of each county returned to the Secretary of State, and they shall be chosen in the same method, at the same places, and by the same electors that choose the General Assembly; and all persons entitled to vote by this act for delegates, shall be eligible to be elected to a seat in said Convention."

On motion by Mr. Lane,

The amendment to the amendment was laid on the table.

Mr. Spencer offered the following amendment to the amendment: Amend section 2d of said bill by adding the following:

And provided further, That the counties of Ohio and Switzerland shall be entitled to three delegates, and the county of Dearborn shall be entitled to three delegates, and no more.

On motion by Mr. Edwards,

The amendment to the amendment was laid on the table.

The question then recurred on the amendment of Mr. Dougherty of Boone,

The ayes and noes being called for by Messrs. Dougherty of Boone and Butler,

Those who voted in the affirmative were,

Messrs. Alley, Bowen, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Campbell, Chandler, Cleaver, Cole, Conaway, Cotton, Cravens, Delavan, Dodd, Dougherty of Boone, Gessie, Goodwin, Greathouse, Harvey, Hicks, Hill, Hillis, Huey, Humphreys, Hunter, Keeney, Knowlton, Lane, Leviston, May, Menaugh, Miller of Marshall and Fulton, Miller of Owen, Millikan, Morrison, O'Neal, Orr, Patterson, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Salter, Shelby, Shepard, Stone, Stoops, Summers, Thom, Thomas, Tinbrook, Watkins, Weaver, Weir, Wilson, and Yocum—60.

Those who voted in the negative were,

Messrs. Allen, Athon, Barker, Beard, Bird, Carnahan of Fountain, Carnahan of Posey, Conner, Defrees, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Graves, Harney, Hart, Holcomb, Johnson, Landiss, Lank, Mickle, Murray, Niblack, O'Haver, Richardson, Russell, Sherrod, Spencer, Stewart, Warriener, Wells, Withers, Whinery, Wright, and Mr. Speaker—38.

So the amendment was adopted.

Mr. Salter moved to further amend section 2 as follows:

Provided, further, That where three or more counties form one representative district, that then such district of counties shall be entitled to at least two delegates in said convention.

Mr. Cravens called for the previous question,
Which was seconded by the House.

The question then being,

"Shall the main question be now put?"

The ayes and noes being demanded by Messrs. Dougherty of Elkhart and Athon:

Those who voted in the affirmative were,

Messrs. Allen, Alley, Barker, Bird, Bowen, Brown of S., Burnet, Byers, Caldwell, Chandler, Cleaver, Cole, Conaway, Cotton, Cravens, Delavan, Dougherty of B., Dougherty of E., Edwards, Elder, Ellis, Essex, Farnesly, Gessie, Goodwin, Greathouse, Hart, Harvey, Hicks, Hill, Hillis, Humphreys, Hunter, Keeney, Knowlton, Menough, Millikin, Murray, Niblack, O'Neal, Orr, Patterson, Prather, Reed, Richardson, Robinson of D., Ross, Rush, Russell, Sherrod, Spencer, Stone, Stoops, Summers, Thom, Thomas, Tinbrook, Watkins, Weaver, Weir, Wilson, Withers, and Yocum—63.

Those who voted in the negative were,

Messrs. Athon, Beard, Butler, Carnahan of F., Carnahan of P., Conner, Defrees, Gentry, Graves, Harney, Holcomb, Johnson, Landiss, Lane, Lank, Leviston, May, Mickle, Miller of Owen, Morrison, O'Haver, Robinson of Laporte, Salter, Shelby, Shepard, Stewart, Warriner, Wells, Whinery, Wright, and Mr. Speaker—31.

So it was decided that the main question should be now put.

Mr. Salter moved that the House adjourn;

Which motion did not prevail.

The question then recurring on the main question, which was,

"Shall the bill be ordered to a third reading?"

Was decided in the affirmative.

Mr. Summers moved that the House adjourn:

Which motion did not prevail.

Mr. Burnet moved to suspend the order of business;

Which motion did not prevail.

Mr. Chandler moved to suspend the rules and read the bill a third time;

Mr. Carnahan of Posey moved a call of the House.

On motion by Mr. Wilson,

The House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

Mr. Butler moved to suspend the order of business, for the purpose of making a report from the select committee on temperance ; Which motion did not prevail.

ORDERS OF THE DAY.

The House proceeded to the consideration of the amendments of the Senate to House bill

No. 113. A bill to amend an act entitled "an act to incorporate the Liberty and Brownsville Turnpike Company," approved February 12, 1848 ;

The question being,

On concurring in the amendments of the Senate,
Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, without amendment :

No. 289. An act for the more speedy completion of the Indiana Hospital for the Insane.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions thereof, to-wit :

No. 104. An act to incorporate the Tippecanoe Fire Company ;

No. 161. An act for the relief of purchasers of school lands :

No. 171. A joint resolution in relation to the slave trade ;

No. 265. An act to incorporate the Cloverdale Seminary ;

In all of which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of bills of the Senate and a joint resolution contained in the foregoing message :

No. 104. A bill to incorporate the Tippecanoe Fire Company;
Was read a first time and passed to a second reading.

No. 161. A bill for the relief of purchasers of school lands;
Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof

No. 171. A joint resolution in relation to the slave trade;
Was read a first and second times, the rules being suspended therefor.

Mr. Chandler moved to suspend the rules and read the joint resolution a third time;

Which motion did not prevail.

No. 265. A bill to incorporate the Cloverdale Seminary;
Was read a first and second times the rules being suspended therefor, and ordered to a third reading.

Mr. Lane moved to suspend the rules and read the bill a third time;

Which motion did not prevail.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have reconsidered the vote on the passage of the following engrossed bills of the House :

No. 63. An act in relation to Lamasco city ;

No. 64. An act in relation to extra taxes in Lamasco city ;
And have again passed said bills with sundry amendments ;
In which amendments the concurrence of the House is respectfully requested.

The question then recurring on the amendments of the Senate to House bill

No. 63. A bill in relation to Lamasco city ;

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

The question then being on concurring in the amendment of the Senate to House bill

No. 64. A bill in relation to extra taxes in Lamasco City ;

Was decided in the negative.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate have passed the following engrossed bills and joint resolutions thereof, to-wit :

No. 102. An act to amend an act entitled " an act to revise and consolidate the several acts of the General Assembly, relative to laying out, opening, repairing, changing, and vacating public highways, and to the erection and repair of bridges, and to amend the same," so far as relates to the county of Wabash ;

No. 228. An act making additional appropriations for the year 1850 upon the New Albany and Vincennes Turnpike Road ;

No. 270. A joint resolution upon the subject of a grant of land for a geological survey of the State of Indiana ;

No. 277. A joint resolution allowing to each of the benevolent institutions of the State a copy of the General and Local Laws, and the Revised Code ;

In all of which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of Senate bills contained in the foregoing message.

Senate bills No. 102, 228, and 270, were each read a first time and passed to a second reading.

No. 277. A joint resolution allowing to each of the benevolent institutions of the State a copy of the General and Local Laws, and the Revised Code ;

Was read three several times, the rules being suspended therefor, and passed.

On motion by Mr. Wilson,

The resolving clause was amended by inserting " unanimously " after the word " resolved."

Ordered, That the Clerk inform the Senate of the passage of this joint resolution.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution :

Resolved, That the Senate will, the House of Representatives concurring therein, adjourn *sine die* on Wednesday, the 16th inst. ; In which the concurrence of the House is respectfully requested.

Mr. Niblack moved to lay the resolution on the table.

The ayes and noes being demanded by Messrs. Cole and Elder,

Those who voted in the affirmative were,

Messrs. Carnahan of F., Carnahan of Posey, Chandler, Connor,

Edwards, Harney, Hicks, Holcomb, Lank, Murray, Niblack, O'Haver, Reed, Rush, Salter, Shelby, Sherrod, Watkins, Wilson, Whinery, Yocum, and Mr. Speaker—22.

Those who voted in the negative were,

Messrs. Allen, Alley, Athon, Barker, Beard, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Campbell, Cleaver, Cole, Conaway, Cotton, Cravens, Defrees, Delavan, Dougherty of Boone, Dougherty of Elkhart, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Goodwin, Graves, Greathouse, Hart, Harvey, Hill, Hillis, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Landiss, Lane, Leviston, May, Menaugh, Mickle, Miller of M. and F., Miller of Owen, Millikin, Morrison, O'Neal, Orr, Patterson, Prather, Richardson, Robinson of Decatur, Robinson of Laporte, Ross, Russell, Shepard, Spencer, Stone, Stoops, Summers, Thom, Thomas, Tinbrook, Warriner, Weaver, Wells, Weir, Withers, and Wright—75.

So the resolution was not laid on the table.

Mr. Niblack moved to concur with the following amendment to the resolution :

Amend by striking out "Wednesday, the 16th," and inserting "Monday, the 21st."

Mr. Prather offered the following amendment to the amendment :

Insert in the proper place the words, "if the Senate and House shall have got through their business."

Mr. Athon called the previous question ;

Which was not seconded by the House.

The question being on the amendment to the amendment,

Was decided in the affirmative.

The question then recurring on the adoption of the resolution,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution :

Resolved, That the Senate will, the House concurring therein, proceed to the election of Agent of State on Wednesday next at 10 o'clock, A. M., and immediately thereafter will proceed to the election of three Commissioners for the Asylum for the Insane.

In which the concurrence of the House is respectfully requested.

On motion by Mr. Chandler,

The resolution was amended by adding after the words "Agent of State," "Superintendent of the Northern Division of the Central Canal."

The question then recurring on concurring in the resolution as amended,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, with one amendment :

No. 305. An act for an appropriation for a State Fire Engine for the use of the State Prison ;

In which amendment the concurrence of the House is respectfully requested.

The amendment of the Senate to the bill contained in the foregoing message, was concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson their Secretary ;

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions :

No. 3. An act to modify the Agency of State and reduce the expenses thereof ;

No. 126. An act to attach certain territory to the county of Blackford ;

No. 134. An act to incorporate the Bowling Green Manufacturing and Navigation Company ;

No. 160. An act to incorporate the Hamilton Manufacturing Company ;

No. 178. An act to incorporate the Noblesville and Northfield Plank Road Company ;

No. 183. An act to repeal the second section of an act, entitled "An act to change the time of holding the probate courts in the counties of Perry and Harrison," approved Dec. 30, 1845, and for other purposes ;

No. 186. An act requiring an enumeration of the white male inhabitants of this State ;

No. 190. An act to repeal an act, entitled "An act to vacate a

certain road in the county of Switzerland," approved January 17, 1849;

No. 191. An act to establish an additional precinct in Marrs township, in the county of Posey;

No. 192. An act to incorporate Congressional township, No. 19, in Delaware and Henry counties, for the encouragement of free schools;

No. 195. An act to provide for the more speedy collection of the State revenue, and secure the prompt payment of the interest on the State Debt;

No. 199. An act to authorize justices of the peace in Posey township, Switzerland county, to perform the duties of coroner in certain cases;

No. 217. An act to incorporate the Clinton and Illinois Plank Road Company;

No. 266. An act to cede and transfer the right and interest of the State in and to the Northport feeder dam to the Board of Commissioners of the county of Noble, for the use of Common Schools;

No. 278. An act for the punishment of misdemeanors in the town of Lafayette, in Tippecanoe county;

No. 282. An act to locate a State road in the counties of Clinton and Tipton;

No. 310. An act permanently fixing the location of the Greenfield and Franklin State road within the counties of Hancock and Shelby;

In all of which the concurrence of the House is respectfully requested.

The House then proceeded to the consideration of Senate bills contained in the foregoing message:

No. 3. A bill to modify the Agency of State, and reduce the expenses thereof;

Was read a first time.

On motion by Mr. Wright,

The rule was suspended, and the bill read a second time.

Mr. Cravens moved to amend the bill by inserting in the proper place "fuel and office rent."

Mr. Athon moved to refer the bill and pending amendments to the committee on ways and means;

Which motion did not prevail.

On motion by Mr. Brown of Randolph,

The amendment proposed by Mr. Cravens was laid upon the table.

Mr. Prather offered the following amendment:

In third section, 5th line, after the word "state" add the following words:

"And their successors in office."

Which was adopted.

Mr. Johnson offered the following amendment:

Strike out "\$2,500," &c., and insert in lieu thereof,
 "Two thousand seven hundred dollars, which shall be in full for
 all services, clerk hire, fuel, office rent, &c."

Mr. Hill called the previous question;

Which was seconded by the House.

The question being,

"Shall the main question be put?"

Was decided in the affirmative.

The question then recurring on the main question, which was,
 "Shall the bill be ordered to a third reading?"

Was decided in the affirmative.

On motion by Mr. Brown of Randolph,

The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 126. A bill to attach certain territory to the county of Blackford;

No. 134. A bill to incorporate the Bowling Green Manufacturing and Navigation Company;

Were each read a first time and passed to a second reading.

No. 169. A bill to incorporate the Hamilton Manufacturing Company;

Was read a first time and passed to a second reading.

On motion by Mr. Stoops,

The rule was suspended, the bill read a second time, and ordered to a third reading.

No. 178. A bill to incorporate the Noblesville and Northfield Plank Road Company;

Was read a first time and passed to a second reading.

No. 183. A bill to repeal the second section of an act entitled "An act to change the time of holding the Probate Courts in the counties of Perry and Harrison," approved December 30th, 1845, and for other purposes;

Was read a first time and passed to a second reading.

On motion by Mr. Wilson,

The rule was suspended, the bill read a second time and ordered to a third reading.

No. 186. A bill requiring an enumeration of the white male inhabitants of this State;

No. 190. A bill to repeal an act entitled "An act to vacate a certain road in the county of Switzerland," approved January 17th, 1849;

No. 191. A bill to establish an additional precinct in Marrs township, in the county of Posey;

Were severally read a first time and passed to a second reading.

No. 192. A bill to incorporate Congressional township No. 19,

in Delaware and Henry counties, for the encouragement of free schools ;

Was read a first time and passed to a second reading.

On motion by Mr. Summers,

The rule was suspended, the bill read a second time and ordered to a third reading.

No. 195. A bill to provide for the more speedy collection of the State revenue, and secure the prompt payment of the interest on the State debt ;

No. 199. A bill to authorize justices of the peace in Posey township, Switzerland county, to perform the duties of coroner, in certain cases ;

No. 217. A bill to incorporate the Clinton and Illinois Plank Road Company ;

Were severally read a first time, and passed to a second reading.

No. 266. A bill to cede and transfer the right and interest of the State in and to the Northport Feeder dam, to the board of Commissioners of the county of Noble, for the use of common schools ;

Was read a first time and passed to a second reading.

On motion by Mr. Keeney,

The rule was suspended, and the bill read a second time.

Mr. Bird moved to suspend the rule and read the bill a third time ;

Which motion did not prevail.

The bill was then ordered to a third reading.

No. 278. A bill for the punishment of misdemeanors in the town of Lafayette, in Tippecanoe county ;

Was read a first time.

On motion by Mr. Shelby,

The rule was suspended, and the bill read a second time.

Mr. Edwards moved to refer the bill to a select committee of five ;

Which motion prevailed

The Speaker then appointed Messrs. O'Neal, Shelby, Patterson, Salter, and Butler said committee.

No. 282. A bill to locate a State road in the counties of Clinton and Tipton ;

Was read a first time.

On motion by Mr. Yocum,

The rule was suspended, and the bill read a second time.

On motion by Mr. Byers,

The bill was referred to the committee on roads.

No. 310. A bill permanently fixing the location of the Greenfield and Franklin State road, within the counties of Hancock and Shelby ;

Was read a first time.

On motion by Mr. Brown of Shelby,

The rule was suspended, the bill read a second time, and referred to the committee on roads.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following joint resolution thereof:

No. 101. A joint resolution for the relief of James Gallatly and others therein named ;

In which the concurrence of the House of Representatives is respectfully requested.

No. 101, contained in the foregoing message, was read a first time.

Mr. Edwards moved to reject the joint resolution.

Which motion did not prevail.

The bill passed to a second reading.

On motion by Mr. Harney,

The House adjourned.

WEDNESDAY MORNING, 9 O'CLOCK, JANUARY 9, 1850.

The House met.

On motion by Mr. Orr,

The reading of the journal was dispensed with.

PETITIONS, &C., PRESENTED.

By Mr. Salter,

The temperance memorial of citizens of White county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Defrees,

The petition of citizens of Elkhart county, for the extension of jurisdiction of justices of the peace in said county ;

Which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Prather,

The temperance memorial of three hundred and ninety citizens of the city of Indianapolis, for the change in the license law ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Warriner,

The petition of sundry citizens, praying that the river Calumet may be made a public highway ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Warriner, Weaver, and Carnahan of Posey.

By Mr. Warriner,

The petition of sundry citizens of Porter county, relative to the road law of the last session ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Warriner, Weaver, and Carnahan of Posey.

By Mr. Menaugh,

The temperance memorial of citizens of Washington county;

Which,

On motion,

Was referred to the select committee on that subject.

By Mr. Yocum,

The petition of sundry citizens of the counties of Clay and Owen, relative to the boundaries of a certain school district ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Yocum, Miller of Owen, and Allen.

By Mr. Salter,

The petition of sundry citizens of Pulaski county, to authorize the construction of a dam across the Tippecanoe River, in said county ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Salter, Huey, and Cole.

By Mr. Byers,

Two remonstrances of sundry citizens of Clinton and Tipton counties, relative to a state road ;

Which,

On motion,

Were referred to the committee on roads.

By Mr. Miller of M. and F.,

The petition of sundry citizens of the counties of Miami and Fulton, praying for an amendment to the charter for a plank road from Peru to Rochester ;

Which,

On motion,

Was referred to a select committee, consisting of

Messrs. Miller of M. and F., Cole, and Murray.

By Mr. Cole,

The remonstrance of E. H. Bruce and 72 other citizens of Miami county, against the petition of Nathan O. Ross and others, praying for the extension of the terms of the commissioners' and probate courts of said county, and to increase the pay of the probate judge;

Which,

On motion,

Was referred to the select committee on that subject.

By Mr. Miller of M. and F.,

The petition of sundry citizens of Fulton county, relative to the alteration of a certain road;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Miller of M. and F., Leviston, and Dodd.

By Mr. Cole,

The petition of sundry citizens of Miami county, to fix the salary of the auditor of said county at five hundred dollars;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Cole, Huey, and Elder.

By Mr. Cole,

Two remonstrances of citizens of Miami county, against granting the prayer of the citizens of said county, to fix the auditor's salary at five hundred dollars;

Which,

On motion,

Was referred to the same select committee.

REPORTS FROM COMMITTEES.

Mr. Mickle, chairman of the committee on ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means, to whom it belongs to make provisions for raising revenues to meet the ordinary expenses of the Government, have considered that subject, and directed me to report the following bill on that subject, and respectfully ask its passage :

No. 425. A bill to raise a revenue for state purposes for 1850; Which was read a first time and passed to a second reading.

On motion by Mr. Mickle,

The rules were suspended, the bill read a second time, and

On motion by Mr. Mickle,

The bill was committed to the committee of the whole House, and made the special order of the day for Saturday next at 2 o'clock, P. M.

Mr. Hicks, chairman of the committee on the judiciary made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred bill of the House No. 371, entitled "an act to explain section two hundred and ninety-three, of chapter thirty, of the Revised Laws of 1843," have had said bill under consideration, and directed me to report that in the opinion of said committee legislation on the subject is uncalled for, they therefore herewith return said bill and recommend that it be indefinitely postponed.

Which report was concurred in.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of House No. 404, entitled "an act authorizing the examination of witnesses in chancery causes in open court in the same manner as in actions at law," have duly considered said bill, and directed me to report that it is inexpedient to legislate upon the subject, and to recommend that said bill, which is herewith returned to the House, be indefinitely postponed.

Which report was concurred in.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred House bill No. 405, entitled "a bill to amend the tenth section of chapter twenty-one of Revised Statutes," have directed me to report the same back to the House and recommend its passage.

Which bill was ordered to be engrossed.

Mr. Carnahan of Fountain, from the committee on the judiciary made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of Samuel Finley and others, citizen voters of St. Joseph county

praying that the powers and jurisdiction of justices of the peace be conferred upon the probate judge of said county, have had the same under consideration, and have instructed me to report that it is inexpedient to grant the prayers of said petitioners.

Which report was concurred in.

Mr. Spencer, from the committee on the judiciary, made the following report:

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill No. 358, have had the same under consideration, and directed me to report the same back with the following amendment, and with said amendment to recommend its passage :

Amend by striking out all of said bill after the enacting clause and insert the following—

That all lands in the several townships in Monroe county in said State which have been forfeited to the State of Indiana for the non-payment of interest shall be restored to the last purchaser of the same and shall be held by them in as full and ample a manner as they were before said forfeiture occurred : *Provided*, that said owners shall on or before the first day of July, 1850, pay to the commissioner of said lands all interest due upon the same with interest thereon from the time of said forfeiture.

Sec. 2. This act shall be in force from and after its passage.

Which amendment was concurred in,

The bill as amended was ordered to be engrossed.

On motion by Mr. Gentry,

The rule was suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Chandler from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred House bill No. 237, entitled "an act authorizing the filing of transcripts of judgments of justices of the peace in the clerk's office and issuing executions thereon," have had the same under consideration, and have instructed me to report the same back with the following amendment, with which amendment they recommend its passage :

Sec. 4. That in all cases where the judgment of any justice of the peace, or the execution which has been issued thereon and returned "no goods or chattles" found whereon to levy, or not sufficient goods or chattles whereon to levy, should be lost, or either of

them shall be lost, before the justice of the peace should certify the same, or either of them, to the Clerk of the Circuit Court, it shall be lawful for the said plaintiff, his agent or attorney, if he wishes to subject the lands and tenements of the said defendant or defendants to execution to cause the Clerk of the Circuit Court to issue a "scire facias" against the defendant or defendants to show cause why judgment and execution should not be rendered and issued against him or them, in which it shall be necessary to alledge the judgment and its loss, the issuing of the execution, the constable's return thereon and its loss; and upon the trial of said cause the plaintiff shall be required if the issues thereof require it to prove the rendition of the judgment and its amount, the issuing of the execution, the constable's return thereon, and the loss of them, or either of them, as the case may be.

Sec. 5. That all laws and parts of laws coming within the purview of this act shall be repealed, and this act shall be in force from and after its passage.

Which amendments were concurred in.

Mr. Chandler moved to suspend the rule and read the bill a third time;

Which motion did not prevail.

On motion by Mr. Holcomb,

The bill was laid on the table.

Mr. Chandler, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee, to whom was referred House bill, No. 394, entitled "A bill concerning the easement of the Valley Mills, in Allen county," have had the same under consideration and have instructed me to report the same back without amendment, and recommend its passage.

Which bill was ordered to be engrossed.

Mr. Chandler, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee, to whom was referred House bill, No. 384, entitled "An act relative to the settlement of estates," have had the same under consideration and have instructed me to report the same back with the following amendment, to be added to the first section, and then recommend its passage, to-wit:

Provided, further, That in case said creditor shall be a feme covert, insane, non-compos mentus, an infant, or out of the State,

said action shall be commenced within five years after said disabilities shall be removed.

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

On motion by Mr. Connor,

The order of business was suspended.

By Mr. Connor,

The petitions of sundry citizens of Perry and Spencer counties, relative to the navigation of Anderson river ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Connor, Richardson, and Hicks.

On motion by Mr. O'Haver,

The order of business was suspended.

By Mr. O'Haver,

Two petitions of sundry ladies of the town of Sullivan, on the subject of temperance ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. O'Haver, Weir, and Whinery.

On motion by Mr. Goodwin,

The order of business was suspended.

By Mr. Goodwin,

The petition of Sarah Vaughn, of Daviess county ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Goodwin, Niblack, and Shelby.

Mr. Butler moved to suspend the order of business, to make a report from the select committee on temperance ;

Which motion did not prevail.

On motion by Mr. Chandler,

The order of business was suspended.

Mr. Chandler, from a select committee, made the following report :

MR. SPEAKER :

One of the committee to whom was referred the resolution making it the duty of a committee, to inquire into the propriety of abolishing the office of State Agent, begs leave to report that by the second section of the act, entitled "An act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal," approved January 19, 1846, it is enacted that every certificate issued under this act, shall be signed in blank and numbered by the Treasurer and Auditor, and under the seal of the

State, and at the time of its being delivered, shall be filled up and countersigned by the Agent of State; and that by amendment K, of the 19th section of the act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 27, 1847, that the stock created in pursuance to this act shall be transferrable only in the city of New York, in books to be provided for by the State, &c., in pursuance of such rules as may be adopted by the Agent of State, or may be prescribed by law, &c.; but no transfer shall be made, except on the surrender and cancelment of the outstanding certificates, &c.; *Provided, however,* That the possession of a certificate of stock with an endorsement thereof, on the back, to the possessor, purporting to be by the holder under his hand, attested by two witnesses, shall be deemed a sufficient power of attorney, in all cases, to authorize and warrant the Agent of State to transfer on the books, in the name of such holder, such stock to such possessor; and the Agent of State shall, at all times, be deemed the agent of the parties, for making the transfers; and by the first section of the law of 1846, aforesaid, and by the 2d, 3d, and 4th sections of the act amendatory thereto, it is provided if the State is not able to pay her interest, certificates shall be issued for the deficit, and on the first day of January, 1853, all of said deficits shall be converted into stock and certificates issued therefor. We also find from information obtained from the present and Ex-State Agent, and from the Auditor and Treasurer of State, and from Charles Butler, one of the Trustees of the Wabash and Erie Canal, that it is necessary to keep an office in the city of New York, for the purpose of receiving the surrender of State bonds, and the issuing of certificates of State stock, and for the surrendering of certificates and the issuing of new certificates. We also find from the fifth section of the act first aforesaid, that the interest on our State debt, must also be paid in the city of New York, and we find that this State Agency is so much connected with the Butler bill, that it is impossible to abolish the office, without violating our faith with our bondholders. It would be considered by our bondholders, a violation of faith, and our bonds would immediately fall in the market, and we would be stigmatized as violating our faith. We might transfer the duties of that office to some other person. For instance, we might transfer those duties to a Broker or a Bank in New York. Winslow, Lanier, & Co., Brokers in New York, have performed all those duties for the last year, for twenty-five hundred dollars, and they propose to continue to do them for that sum, per annum, and they propose to give good security for their faithful performance. The Commissioners of the Sinking Fund propose to perform those duties for the same sum. The question for us to determine is, shall we abolish the office and transfer those duties to a Broker or Bank in New York, or elect an Agent, and curtail his expenses? The committee have come to the conclusion that it will be advisable to elect a State Agent and curtail his expenses, and then we will have

the control of our own funds. From the Auditor's report, it appears that M. G. Bright's expenses for clerk hire and personal expenses, salary, &c., as State Agent, four years and nine months, were \$14,562 99, or \$274 96 per month, or \$9 16 per day, and Collins' expenses as State Agent for twenty months, were \$9,216 32, or \$460 81 per month, or upwards of \$15 per day. And when it is taken into consideration that Bright had the suspended debt to settle, amounting to upwards of four millions, which he settled and that he received the surrender of nearly all the State bonds and opened all the books, and that Collins only attended to the ordinary business of the office in New York, after all the funded debt was settled and nearly all the bonds were surrendered and certificates issued, Collins' expenses are enormous, and it becomes, therefore, evident that we must curtail those expenses.

We, therefore, recommend that the office of State Agent be not abolished, but that we regulate and curtail his expenses.

All of which is respectfully submitted.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have refused to concur in the amendment of the House to the resolution of the Senate, fixing this day at 10 o'clock, A. M., for the election of Agent of State, and immediately thereafter for the election of three Commissioners for the Asylum for the Insane.

Mr. Salter moved to lay the resolution on the table ;
Which motion did not prevail.

On motion by Mr. Mickle,

The House receded from its amendment to the foregoing resolution of the Senate.

The original resolution of the Senate was concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Niblack,
The order of business was suspended.

On motion by Mr. Niblack,

Resolved, That the Senate be invited to attend in this Hall *instantly* to go into the election of an Agent of State, and of three Commissioners of the Indiana Hospital for the Insane, and that seats be provided for the members thereof on the right of the Speaker's chair.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Hillis,

House bill No. 100 was taken from the table and placed on the files of the House.

The hour having arrived, the Senate came into the Hall of the House, when both branches of the General Assembly proceeded to the election of Agent of State, in joint convention, by a *viva voce* vote, as provided in the Statute on that subject.

Those who voted for Allen May were,

Messrs. Adams, Allen, Berry, Brugh, Buckles, Dawson, Eddy, English, Evans, Garver, Graham, Hardin, Huffstetter, James, Kinnard, Lyon, Malott, Miller, Millikin, Morrison, Odell, Randall, Read of C., Reid of U., Sleeth, Walker, Walpole, Winstandley, and Woods, of the Senate, and

Messrs. Allen, Alley, Athon, Barker, Beard, Bird, Bowen, Brown of R., Brown of S., Byers, Caldwell, Campbell, Carnahan of P., Chandler, Cleaver, Conoway, Cotton, Cravens, Delavan, Dodd, Dougherty of B., Dougherty of E., Elder, Ellis, Essex, Farnsley, Gentry, Greathouse, Harney, Hart, Harvey, Hicks, Holcomb, Huey, Humphreys, Hunter, Johnston, Landis, Lank, Leviston, May, Menough, Mickle, Miller of M. and F., Miller of O., Niblack, O'Haver, O'Neal, Richardson, Robson, Ross, Salter, Shelby, Sherrod, Spencer, Stoops, Thomas, Warriner, Watkins, Weaver, Wells, Withers, Yocum, and Mr. Speaker, of the House—93.

Those who voted for Royal Mayhew are,

Messrs. Cassatt, Conduit, Cornet, Dole, Hamrick, Harvey, Hendricks, Herod, Houghton, McCarty, Montgomery, and Teegarden, of the Senate, and

Messrs. Burnett, Carnahan of F., Cole, Connor, Defrees, Edwards, Gessie, Goodwin, Hill, Hillis, Keeney, Knowlton, Millikan, Morrison, Murray, Orr, Prather, Reed, Robinson of D., Rush, Stewart, Stone, Summers, Thom, Tinbrook, Wilson, and Wright, of the House—39.

Mr. Day of the Senate voted for John Smith.

Mr. Weir of the House voted for W. B. Baker.

Allen May, having received a majority of all the votes given, was declared elected Agent of State, to serve as such for the term of two years, from and after the expiration of the term of service of the present incumbent.

The joint convention then proceeded to elect three Commissioners for the Hospital of the Insane, by a *viva voce* vote.

Those who voted for James Blake, were

Messrs. Berry, Brugh, English, Evans, Graham, Hardin, Huffstetter, James, Kinnard, McCarty, Miller, Millikin, Montgomery, Morrison, Randall, Read of C., Sleeth, Walker, Winstandley, and Woods, of the Senate, and

Messrs. Barker, Bird, Brown of R., Brown of S., Byers, Caldwell, Carnahan of P., Cole, Conaway, Cotton, Dodd, Elder, Essex, Farnsley, Graves, Hart, Hicks, Hillis, Holcomb, Huey, Leviston, May, Menaugh, Mickle, Miller of M. & F., Miller of O., O'Haver, Richardson, Robinson of D., Robson, Ross, Shepard, Sherrod, Spencer, Warriner, Watkins, Wells, Weir, Withers, Yocum, and Mr. Speaker, of the House of Representatives—61.

Those who voted for John H. Saunders, were

Messrs. Adams, Conduit, Cornett, Dole, Garver, Hamrick, Harvey, Hendricks, Holloway, Houghton, Hubbard, Montgomery, Odell, Rousseau, and Teegarden, of the Senate, and

Messrs. Allen, Athon, Bird, Bowen, Brown of R., Burnet, Butler, Campbell, Conoway, Defrees, Delevan, Edwards, Gentry, Gessie, Goodwin, Graves, Hill, Johnson, Keeney, Knowlton, Lane, Lank, May, Miller of M. & F., Miller of O., Millikan, Morrison, Murray, O'Haver, O'Neal, Orr, Prather, Reed, Robinson of D., Robinson of L., Rush, Russell, Shelby, Shepard, Stewart, Stone, Thom, Tinbrook, Weaver, Weir, Wilson, Whinery, and Wright, of the House of Representatives—63.

Those who voted for John S. Bayless, were

Messrs. Allen, Berry, Buckles, Dawson, Dole, Eddy, English, Garver, Graham, Herod, Holloway, Hubbard, Lyon, Malott, Morrison, Odell, Randall, Read of C., Sleeth, Teegarden, Walpole, and Winstandley, of the Senate, and

Messrs. Allen, Alley, Athon, Barker, Bird, Bowen, Burnet, Butler, Caldwell, Campbell, Carnahan of F., Chandler, Cleaver, Cole, Cotton, Cravens, Defrees, Dougherty of E., Edwards, Elder, Ellis, Essex, Farnsley, Greathouse, Hart, Harney, Hicks, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnston, Keeney, Knowlton, Lane, Lank, Menaugh, Mickle, Miller of M. & F., Miller of O., Millikan, Morrison, Murray, Niblack, O'Haver, O'Neal, Orr, Robinson of L., Ross, Russell, Salter, Shelby, Stewart, Stone, Stoops, Summers, Thom, Thomas, Watkins, Wells, Whinery, Wright, Yocum, and Mr. Speaker, of the House of Representatives—88.

Those who voted for Samuel Hannah, were

Messrs. Conduit, Dole, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Montgomery, Odell, Porter, Rousseau, and Teegarden, of the Senate, and

Messrs. Beard, Bowen, Burnet, Butler, Campbell, Carnahan of F., Cole, Connor, Defrees, Dougherty of E., Edwards, Elder, Gessie, Goodwin, Hill, Keeney, Knowlton, Lane, Lank, May, Millikan, Murray, Morrison, O'Neal, Reed, Robinson of L., Rush, Russell, Shelby, Shepard, Stewart, Stone, Summers, Thom, Wilson, Whinery, and Wright, of the House of Representatives—50.

Those who voted for A. D. Gall, were

Messrs. Adams, Allen, Brugh, Buckles, Cornett, Dawson, Graham, Hamrick, Hardin, Houghton, Huffstetter, James, Kinnard, Malott, Miller, Millikin, Morrison, Walker, Walpole, and Woods, of the Senate, and

Messrs. Alley, Beard, Brown of R., Brown of S., Byers, Carnahan of P., Chandler, Cleaver, Conaway, Cravens, Delavan, Dodd, Dougherty of E., Ellis, Gentry, Greathouse, Hillis, Humphreys, Hunter, Leviston, Menaugh, Niblack, Orr, Prather, Richardson, Rush, Salter, Sherrod, Spencer, Stoops, Summers, Thomas, Warriener, Watkins, Weaver, and Withers, of the House of Representatives—56.

Those who voted for John S. Bobbs, were

Messrs. Conduit, Cornett, Eddy, Evans, Hamrick, Harvey, Herod, Lyon, McCarty, Porter, and Walpole, of the Senate, and

Messrs. Gessie, Goodwin, Graves, Harvey, Hill, Hunter, Johnson, Reed, Robinson of D., Robson, Tinbrook, Weir, and Wilson, of the House of Representatives—24.

Those who voted for James Ritchey, were

Messrs. Adams, Allen, Berry, Brugh, Buckles, Dawson, Eddy, English, Evans, Garver, Hardin, Huffstetter, James, Kinnard, Lyon, Miller, Millikin, Porter, Randall, Read of C., Rousseau, Sleeth, Walker, Winstandley, and Woods, of the Senate, and

Messrs. Allen, Alley, Athon, Barker, Beard, Brown of S., Byers, Caldwell, Carnahan of P., Chandler, Cleaver, Conaway, Cotton, Cravens, Delevan, Dodd, Ellis, Essex, Farnsley, Gentry, Greathouse, Hart, Harvey, Hicks, Holcomb, Huey, Humphreys, Leviston, Mickle, Prather, Richardson, Ross, Salter, Sherrod, Spencer, Stoops, Thomas, Watkins, Wells, Withers, Yocum, and Mr. Speaker, of the House—69.

Those who voted for John Wilkins, were

Mr. McCarty, of the Senate, and

Messrs. Carnahan of F., Niblack, Robson, and Tinbrook, of the House—5.

Mr. Connor of the House of Representatives voted for T. R. Cressy.

John S. Bayless having received a majority of all the votes given was declared duly elected one of the Commissioners for the Hospital for the Insane, to serve as such for the term of six years from and after his election.

No other person having received a majority of all the votes given, the joint convention proceeded to a second *viva voce* vote.

Those who voted for James Blake, were

Messrs. Berry, Brugh, Eddy, English, Evans, Garver, Graham, Hamrick, Hardin, Huffstetter, James, Kinnard, Lyon, Malott, McCarty, Miller, Millikin, Morgan, Morrison, Randall, Read of C., Reid of U., Sleeth, Winstandley, and Woods, of the Senate, and

Messrs. Athon, Barker, Bird, Brown of R., Brown of S., Byers, Caldwell, Carnahan of P., Cleaver, Conaway, Connor, Cotton, Cravens, Dodd, Dougherty of B., Dougherty of E., Essex, Farnsley, Greathouse, Harney, Hart, Harvey, Holcomb, Huey, Humphreys, Lank, Leviston, May, Menaugh, Mickle, Miller of M. & F., Murray, Niblack, O'Haver, O'Neal, Richardson, Robson, Ross, Salter, Shelby, Sherrod, Spencer, Stoops, Summers, Thomas, Warriner, Watkins, Weaver, Wells, Withers, Yocum, and Mr. Speaker, of the House of Representatives—77.

Those who voted for John H. Saunders, were

Messrs. Cassatt, Conduit, Cornett, Day, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Lyon, McCarty, Montgomery, Morgan, Odell, Porter, Rousseau, and Teegarden, of the Senate, and

Messrs. Allen, Alley, Bird, Bowen, Burnet, Butler, Campbell, Carnahan of F., Cole, Connor, Defrees, Delavan, Edwards, Gessie, Goodwin, Graves, Harney, Hicks, Hill, Hillis, Johnson, Keeney, Knowlton, Lane, Miller of O., Millikan, Morrison, Murray, O'Haver, O'Neal, Orr, Prather, Reed, Robinson of D., Robinson of L., Rush, Russell, Shelby, Stewart, Thom, Tinbrook, Weir, Wilson, Whinery, and Wright, of the House of Representatives—86.

Those who voted for James Ritchey, were

Messrs. Adams, Allen, Berry, Brugh, Buckles, Cornett, Day, Dawson, Eddy, English, Evans, Garver, Graham, Hardin, Hubbard, Huffstetter, James, Kinnard, Miller, Millikin, Morrison, Randall, Read of C., Reid of U., Sleeth, Walker, Winstandley, and Woods, of the Senate, and

Messrs. Allen, Alley, Athon, Barker, Beard, Brown of R., Brown of S., Byers, Caldwell, Carnahan of F., Carnahan of P., Chandler, Cleaver, Conaway, Cotton, Cravens, Delavan, Dodd, Dougherty of B., Dougherty of E., Elder, Ellis, Essex, Farnsley, Gentry, Goodwin, Graves, Greathouse, Hart, Harvey, Hicks, Holcomb, Huey, Humphreys, Hunter, Johnson, Lane, Lank, Leviston, May, Manaugh, Mickle, Miller of M. & F., Miller of O., Millikin, Niblack, Orr, Prather, Richardson, Robinson of L., Robson, Ross, Salter, Sherrod, Spencer, Stewart, Stoops, Thomas, Tinbrook, Warriner, Watkins, Weaver, Wells, Withers, Whinery, Wright, Yocum, and Mr. Speaker, of the House—96.

Those who voted for Samuel Hannah, were

Messrs. Conduit, Dole, Harvey, Hendricks, Herod, Holloway, Houghton, Montgomery, Odell, Porter, Rousseau, Teegarden, Walpole, of the Senate, and

Messrs. Bowen, Burnet, Butler, Campbell, Cole, Edwards, Hill, Keeney, Knowlton, Morrison, Read, Robinson of D., Russell, Summers, Thom, and Weir, of the House of Representatives—29.

Mr. Gessie of the House voted for Bobbs—1

Those who voted for A. D. Gall, were

Messrs. Adams, Allen, Buckles, Cassatt, Dawson, Ellis, Malott, Walker, and Walpole, of the Senate ; and Messrs. Beard, Chandler, Defrees, Elder, Ellis, Gentry, Willis, Hunter, and Rush, of the House of Representatives—18.

James Blake and James Ritchey having each received a majority of all the votes given, were declared duly elected Commissioners for the Hospital for the Insane, to serve as such for the term of six years, from and after their election.

The Senate then returned to their Chamber.

On motion by Mr. Butler,

The order of business was suspended.

Mr. Butler, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the memorials on the subject of temperance, praying for the passage of a law to prevent the traffic in spirituous liquors, &c., have had the subject under consideration.

The number of names signed to the memorials presented in this House, is about ten thousand. There are but two remonstrances against the object of the memorialists, with about two hundred signers.

Your committee would, therefore, ask leave to submit the following bill to the consideration of the House, and ask to be discharged from the further consideration of the subject :

No. 426. A bill to more effectually prevent the sale of spirituous liquors ;

Which was read a first time and passed to a second reading.

On motion by Mr. Brown of Shelby,

The rule was suspended, and the bill read a second time.

Mr. Brown of Shelby moved to lay the bill on the table, and order 200 copies to be printed.

Mr. Wilson moved to print 1000 copies ;

Which motion did not prevail.

The question then recurring on laying on the table and printing 200 copies,

Was decided in the affirmative, and so ordered by the House.

On motion by Mr. Weir,

The order of business was suspended.

Mr. Weir, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Fairbanks township, county of Sullivan, and State of Indiana, asking an additional school district in said township, and county aforesaid, have had the same under consideration, and have directed me to report the following bill, and recommend its passage :

No. 427. A bill to organize an additional school district in the county of Sullivan ;

Which was read a first time.

On motion by Mr. Weir,

The rule was suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Carnahan of Fountain,

The order of business was suspended.

Mr. Carnahan of Fountain, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Fountain county, on the subject of changing the county boundary between Fountain and Warren counties, also a petition from citizens of Warren county on the same subject, together with a remonstrance from citizens of Warren county, have had the same under consideration, and have instructed me to report the accompanying bill, and respectfully recommend its passage :

No. 428. A bill to change the boundary lines of Fountain and Warren counties ;

Which was read a first time and passed to a second reading.

On motion by Mr. Dodd,

The order of business was suspended.

Mr. Dodd, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the memorial of citizens of Indiana, praying for the establishment of an Orphan Asylum, have instructed me to report the bill back to the House and recommend its reference to the committee on benevolent and scientific institutions, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

On motion by Mr. Tinbrook,

The order of business was suspended.

Mr. Tinbrook, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of the citizens of the town of Westport and vicinity, praying for a change in the name of said town, in the county of Parke, to that of Howard, have had the same under consideration, and have instructed me to report the following bill, and recommend its passage :

No. 429. A bill to change the name of the town of Westport, in the county of Parke, and State of Indiana, to that of Howard ;

Which was read a first time and passed to a second reading.

The Speaker laid before the House the following communication :

HON. GEORGE W. CARR,

Speaker of the House of Representatives:

SIR—The Speaker of the House of Representatives is respectfully requested to lay the accompanying papers before the honorable body over which he presides.

JOHN B. DILLON,
State Librarian.

January 9th, 1850.

STATE LIBRARY,)
January 8th, 1850. }

In obedience to a joint resolution of the State of Indiana, in relation to State Instruments, approved January 15th, 1849, the undersigned reports :

That it appears from official documents, that the State of Indiana, in 1840, owned thirty-seven Levels, eleven Compasses, one Theodolite, and twelve boxes of Mathematical instruments.

At the same period, one Level, one Compass, and one box of Mathematical instruments were owned jointly by the States of Illinois and Indiana.

Of the instruments owned by the State of Indiana, one Compass is now in possession of the State Librarian. Five Levels, two Compasses, and three boxes of Mathematical instruments were granted to the White Water Canal Company.

Six Levels, one Compass, and one box of Mathematical instruments have been claimed by the Madison and Indianapolis Railroad Company; and ten Levels are in possession of and claimed by the trustees of the Wabash and Erie Canal.

Several instruments belonging to the State of Indiana have "mysteriously disappeared" from the office formerly kept by the Agent of State, at Indianapolis. The undersigned will continue to use all proper means to find and reclaim such instruments. With this report, I lay before the Legislature a letter from Jesse L. Williams, Esq., on the subject of the State instruments.

Respectfully submitted.

JOHN B. DILLON,
State Librarian.

TERRE HAUTE, Nov. 26th, 1849.

J. B. DILLON, Esq., *State Librarian :*

Dear Sir—Your letter of the 9th of July, on the subject of leveling instruments which were purchased by the State for the construction of her public works, came duly to hand, and has received my attention. It should have been answered sooner, but I supposed

the meeting of the Legislature would be in time. In the mean time, in passing over the canal, I have endeavored to ascertain the whereabouts of the instruments. Of the levels which belonged to the State on the supervision of her public works, there are on the Wabash and Erie Canal, and now used in its construction and repair, the following :

- 1 level on Repair District No. 1, in charge of O. Bird, Sup't,
- 1 level on Repair District No. 2, in charge of L. Holman, Sup't,
- 1 level on Repair District No. 5, in charge of J. McManomy, Sup't,
- 1 level used in the construction from Coal Creek to Terre Haute, in charge of James Johnson, Assistant Engineer,
- 1 level used in construction from Terre Haute to Eel river, in charge of R. B. Hanna, Assistant,
- 1 level used in construction from thence to Newburg Dam, in charge of N. R. Wild, Assistant,
- 1 level used in construction from Newburg to Washington, in charge of J. Minesinger, Assistant,
- 1 level used in construction and repairs from Potoko Summit to Evansville, in charge of S. C. Bradford,
- 1 level used by locating party south of Washington,
- 1 level in the Canal Office at Terre Haute, laid aside as unfit for use.

There is also one level in the hands of S. Fisher, at Wabash, and an old one of very little value, in the hands of Mr. English, of Lagro. All of the levels enumerated have been in use some fourteen years, and some of them, particularly amongst those used in the repairs, are much out of order, and without essential repairs could not be trusted in any service requiring accuracy.

With high respect,

Your obedient servant,

J. L. WILLIAMS.

On motion by Mr. Russell,

The communication was referred to the committee on the State Library.

On motion by Mr. Morrison,

The House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

On motion by Mr. Campbell,

The order of business was suspended.

On motion by Mr. Campbell,
Bill of the House

226. A bill to incorporate the "Alamo Sons of Reform," of the State of Indiana,

Was taken up.

The bill was read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Gessie,
The order of business was suspended.

Mr. Gessie introduced

No. 430. A bill granting the right of way to companies in the State of Illinois to construct plank roads in the county of Vermillion in this State ;

Which was read a first, second, and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Spencer moved to take up joint resolution No. 281 ;
Which motion did not prevail.

On motion by Mr. Prather,
The order of business was suspended.

Mr. Prather, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred bill of the House No. 374, on the subject of a State road therein named, have had the same under consideration, and have directed me to report it back to the House, without amendment, and recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

No. 374. A bill to amend an act entitled an act to locate a State road in the counties of Decatur, Jennings, and Bartholomew, approved January, 5th, 1849 ;

On motion by Mr. Prather,
The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Hunter,
The order of business was suspended.

Mr. Hunter introduced

No. —. A bill relative to a joint railroad and joint passenger depot at Indianapolis ;

Which was read a first and second times, the rule being suspended therefor, and

On motion,
Referred to the committee on corporations.

On motion by Mr. Burnet,

The order of business was suspended.

Mr. Burnet, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens living on the waters of Otter creek, in the county of Vigo, relative to removing and preventing obstructions in said creek, together with the remonstrance of John Payne on the same subject, have considered the same, and directed me to report the following bill to the House and recommend its passage :

No. 432. A bill to prevent the unnecessary obstruction of Otter creek, in the county of Vigo ;

Was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Brown of Randolph moved to suspend the order of business for the purpose of making a report ;

Which motion did not prevail.

ORDERS OF THE DAY.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill thereof :

No. 293. An act to repeal an act therein named ;

In which the concurrence of the House is respectfully requested.

The Senate bill contained in the foregoing message was read a first time and passed to a second reading.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, with sundry amendments :

No. 106. An act for the better improvement of roads in the county of Grant ;

No. 183. An act to regulate grand and petit jurors fees, in the county of Adams, and other counties therein named :

In which amendments, the concurrence of the House is respectfully requested.

On motion by Mr. Mickle,

The engrossed amendments of the Senate to House bill No. 183, contained in the foregoing message, was concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

The question being,

On concurring in the engrossed amendments of the Senate to House bill No. 106, contained in the foregoing message,

On motion by Mr. Murray,

The bill and amendments were laid on the table.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, with sundry amendments :

No. 264. An act to authorize Jacob C. Hursh, of DeKalb county, to erect a mill dam across the little St. Joseph river, in Allen county, Indiana ;

In which amendments the concurrence of the House is respectfully requested.

The question being,

On concurring in the engrossed amendments of the Senate to the bill contained in the foregoing message,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions thereof :

No. 113. An act to amend an act entitled entitled "an act to incorporate the Lafayette Plank Road Company," approved January 3, 1849 ;

No. 182. An act to authorize the taking of depositions of practising physicians in certain cases ;

No. 198. An act to amend the school law, so far as the same relates to fractional township No. 3, range 10, in Jefferson county ;

No. 202. An act for the relief of Sylvester P. Morgan and Benjamin Fuller, of the county of Clark ;

No. 203. An act to locate a State road in Morgan and Owen counties ;

No. 208. An act to authorize the Superintendent of the New Albany and Vincennes McAdamized road to pay the attorney's fees in the case of Clendenin against Frazier, in the Supreme Court ;

No. 213. An act for the relief of Nancy C. Burrows, of Jefferson county ;

No. 221. An act to locate a State road in the county of Washington ;

No. 226. An act to incorporate the town of Noblesville ;

No. 231. An act for the relief of Mary Huffinam ;

No. 235. An act to incorporate the Presbyterian Female College in the county of Washington ;

No. 238. An act supplemental and amendatory of an act entitled "an act to define the jurisdiction of justices of the peace in Vermillion county ;"

No. 242. An act for the relief of the estate of Noah Noble, deceased ;

No. 245. An act to amend the act entitled "an act to incorporate the Fort Wayne and Bluffton Turnpike Company ;"

No. 263. An act to authorize the Trustees of the Mooresville School Society to convey real estate ;

No. 279. An act to incorporate the Brookville Rail Road Company ;

No. 295. An act establishing a court of common pleas in Hancock county, and defining its jurisdiction ;

No. 300. An act for the relief of James Bertenshaw of Franklin county ;

No. 313. An act to incorporate the Pittsburg Library Institute ;

No. 314. An act for the relief of Samuel Scott, Sen., of Posey county ;

No. 315. A act regulating the relinquishment of damages upon the Wabash and Erie Canal ;

No. 317. A joint resolution on the subject of a mail route from Rushville by the way of Greenfield, to Noblesville, in Indiana ;

No. 323. An act to amend an act entitled "an act to compel speculators to pay a road tax equal to that paid by actual settlers, in the county of Noble," approved January 4, 1850 ;

No. 326. An act to incorporate the "Chaffrans Bickurchalin Tikfurans," of Fort Wayne ;

No. 327. An act fixing the time of holding the several circuit courts in the 11th judicial circuit ;

In all of which the concurrence of the House is respectfully requested.

The House then proceeded to the consideration of the Senate bills contained in the foregoing message.

No. 203. A bill to locate a state road in Morgan and Owen counties ;

Was read a first time and passed to a second reading.

No. 113. A bill to amend an act entitled "an act to incorporate Lafayette plank road company," approved January 30, 1849 ;

Was read a first time.

On motion by Mr. Shelby,

The rules were suspended, and the bill read a second time and ordered to a third reading.

Mr. Salter moved to suspend the order of business, to enable him to make a report.

Which motion did not prevail.

No. 182. A bill to authorize the taking of depositions of practicing physicians in certain cases ;

No. 198. A bill to amend the school law so far as the same relates to fractional township No. 3, range 10, in Jefferson county ;

No. 202. A bill for the relief of Sylvester P. Morgan and Benjamin Fuller, of the county of Clark ;

No. 208. A bill to authorize the superintendant of the New Albany and Vincennes McAdamized Road to pay the attorneys in the case of Clendenin against Frazier, in the Supreme Court ;

No. 213. A bill for the relief of Nancy C. Burrows, of Jefferson county ;

No. 323. A bill to amend an act entitled "an act to compel speculators to pay a road tax equal to that paid by actual settlers, in the county of Noble," approved January 4th, 1850 ;

Were severally read a first time and passed to a second reading.

No. 224. A bill to locate a state road in the county of Washington ;

Was read a first time ;

On motion by Mr. Cavens,

The rule was suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 226. A bill to incorporate the town of Noblesville ;

Was read a first time ;

On motion by Mr. Stoops,

The rules were suspended, the bill read a second time, and ordered to a third reading.

No. 231. A bill for the relief of Mary Huffman ;

Was read a first time and passed to a second reading.

No. 235. A bill to incorporate the Presbyterian Female College in the county of Washington ;

Was read a first time ;

On motion by Mr. Cravens,

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 238. A bill supplemental and amendatory of 'an act entitled "an act to define the jurisdiction of justices of the peace in Vermillion county ;"

Was read a first time ;

On motion by Mr. Gessie,

The rules were suspended, the bill read a second time, and ordered to a third reading.

No. 242. A bill for the relief of the estate of Noah Noble, deceased ;

No. 245. A bill to amend an act entitled "an act to incorporate the Fort Wayne and Bluffton Turnpike Company ;"

No. 263. A bill to authorize the trustees of the Mooresville school society to convey real estate ;

No. 270. A bill to incorporate the Brookville Railroad Company ;

Were severally read a first time and passed to a second reading.

No. 295. A bill establishing a court of common pleas in Hancock county, and defining its jurisdiction ;

Was read a first time and passed to a second reading.

On motion by Mr. Alley,

The rule was suspended, the bill read a second time, and referred to a select committee, consisting of

Messrs. Alley, Edwards, Brown of Shelby, Chandler, and Miller of Owen.

No. 300. A bill for the relief James Burtingshaw, of Franklin county ;

Was read a first time and passed to a second reading.

On motion by Mr. Ross,

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 313. A bill to incorporate the Pittsburgh Library Institute ;

Was read a first time and passed to a second reading.

On motion by Mr. Weaver,

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 314. A bill for the relief of Samuel Scott, senior, of Posey county ;

Was read a first time and passed to a second reading.

On motion by Mr. Carnahan of P.,

The rules were suspended and the bill read a second time.

On motion by Mr. Thomas,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 315. A bill regulating the relinquishment of damages on the Wabash and Erie Canal ;

No. 317. A joint resolution on the subject of a mail route from Rushville, by the way of Greenfield, to Noblesville, Indiana ;
Were each read a first time and passed to a second reading.

No. 326. A bill to incorporate the "Chaffrans Bikuer Chalin Tikfurans," of Fort Wayne ;

Was read a first time and passed to a second reading.

On motion by Mr. Bird,

The rule was suspended, the bill read a second and third times, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 327. A bill fixing the time of holding the several circuit courts in the eleventh judicial circuit ;

Was read a first time and passed to a second reading.

On motion by Mr. Orr,

The rule was suspended, the bill read a second and third times, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof :

No. 273. An act to incorporate the North Western Christian University ;

In which the concurrence of the House is respectfully requested.

No. 273, contained in the foregoing message,

Was read a first time and passed to a second reading.

On motion by Mr. Lane,

The rule was suspended and the bill read a second time.

On motion by Mr. Lane,

The bill was referred to a select committee, consisting of Messrs. Lane, Harney, Wright, Delavan, and Miller of Owen.

SENATE BILLS ON SECOND READING.

No. 84. A bill fixing the salaries of the Trustees of the Waba and Erie Canal ;

Was read a second time.

Mr. Chandler moved to refer the bill to a select committee of five.

Mr. Withers moved to refer the bill to the committee of ways and means ;

Which motion prevailed.

No. 86. A bill to vacate streets and alleys therein named ;
Was read a second time and ordered to a third reading.

On motion by Mr. Ross,
The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 91. A bill to amend the 138th section of the 45th chapter of the Revised Statutes of 1843 ;

Was read a second time.

Mr. Cole moved to refer the bill to the committee on the judiciary ;

Which motion prevailed.

No. 93. A bill in relation to costs in certain cases ;

Was read a second time and ordered to a third reading.

No. 95. A bill amendatory of an act, entitled "An act to incorporate the Delphi and Frankfort Plank Road Company," approved Jan. 15, 1849 ;

Was read a second time and ordered to a third reading.

Mr. Withers moved to suspend the order of business for the purpose of taking up a message from the Senate ;

Which motion did not prevail.

No. 97. A bill relative to the National Monument at Washington ;

Was read a second time and ordered to a third reading.

On motion by Mr. Lane,

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 98. A bill to repeal an act authorizing jailors to discharge prisoners in certain cases ;

Was read a second time, and,

On motion by Mr. Dougherty of Boone,
Referred to the committee on the judiciary.

No. 101. A joint resolution for the relief of James Gallatly and others therein named ;

Was read a second time, and,

On motion by Mr. Miller of Owen,

Was referred to a select committee consisting of
Messrs. Miller of Owen, Murray, Brown of Randolph, Patterson, and Alley.

No. 102. A bill to amend an act, entitled "an act to revise and consolidate the several acts of the General Assembly relative to laying out, opening, repairing, changing, and vacating public highways, and to the erection and repair of bridges and to amend the same," so far as relates to the county of Wabash ;

Was read a second time and ordered to a third reading.

On motion by Mr. Cole,

The rule was suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 103. A bill to amend the charter of the city of Evansville;
Was read a second time and ordered to a third reading.

No. 104. A bill to incorporate the Tippecanoe Fire Company;
Was read a second time and ordered to a third reading.

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from his Excellency, the Governor, by Mr. Tarkington,
the executive messenger :

MR. SPEAKER :

I am directed by the Governor to return to the House of Representatives bill No. 248, which originated in said body, with his message in relation thereto.

No. 107. A bill to incorporate the Indiana Asbury Female College ;

Was read a second time and ordered to a third reading.

No. 109. A bill regulating the road laws in the county of Monroe ;
Was read a second time and ordered to a third reading.

No. 110. A bill to consolidate the Richmond Turnpike Company and the Wayne County Turnpike Company, and for other purposes connected therewith ;

Was read a second time and ordered to a third reading.

On motion by Mr. Butler,

The rule was suspended and the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 112. A bill to repeal an act entitled "An act to provide for the election of prosecuting attorneys by the people of the several counties," approved January 27th, 1847 ;

Was read a second time.

On motion by Mr. Hunter,

The county of Marion was exempted from the provisions of the bill.

On motion by Mr. Lane,

The county of Putnam was exempted from the provisions of the bill.

On motion by Mr. Graves,

The 9th Judicial Circuit was exempted from the provisions of the bill.

On motion by Mr. Butler,

The county of Wayne was exempted from the provisions of the bill.

On motion by Mr. Wright,

The bill was laid on the table.

No. 115. A bill to incorporate a company to construct a Plank Road from Dillsborough to Versailles ;

Was read a second time.

Mr. Knowlton moved to insert the following at the end of Section 21st :

“And may erect a toll gate when five miles of said road are completed ;”

Which motion prevailed.

The bill as amended was ordered to a third reading.

On motion by Mr. Knowlton,

The rule was suspended and the bill read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

No. 116. A joint resolution in relation to the brave and patriotic sons of Hungary ;

Was read a second time.

On motion by Mr. Butler,

The resolving clause was amended by inserting the word “unanimously.”

On motion,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 117. A bill for the better security of the surplus revenue fund in Greene county ;

Was read a second time.

Mr. Humphreys moved to lay the bill on the table ;

Which motion prevailed.

No. 118. A bill to amend an act to provide for the construction of a Railroad from Martinsville in Morgan county to Franklin in Johnson county ;

Was read a second time and ordered to a third reading.

No. 119. A bill to increase the pay of the board of commissioners of Daviess county ;

Was read a second time and ordered to a third reading.

No. 122. A bill to give the Probate Judge of the county of Gibson jurisdiction of writs of habeas corpus ;

Was read a second time and ordered to a third reading.

No. 123. A bill to amend Section 21, Article 2, Chapter 46, of the Revised Statutes of 1843 ;

Was read a second time, and,

On motion by Mr. Cole,

Referred to the committee on the judiciary.

No. 125. A bill for the purpose of confirming and carrying out all charitable devises, bequests, donations, gifts, and legacies ;

Was read a second time, and

On motion by Mr. Dougherty of Boone,

Referred to the committee on the judiciary.

No. 126. A bill to attach certain territory to the county of Blackford ;

Was read a second time.

On motion by Mr. Huey,

Was referred to a select committee consisting of

Messrs. Huey, Orr, Brown of Shelby, Cravens, and Cotton.

No. 127. A bill to authorize a company to construct the King's Ridge and Mooreshill Turnpike ;

Was read a second time and ordered to a third reading.

No. 128. A bill to authorize a company to construct the Hart's Mill and Marion Turnpike ;

Was read a second time and ordered to a third reading.

Mr. Edwards moved to take from the table Senate bill

No. 112. A bill to repeal an act entitled "an act to provide for the election of prosecuting attorneys by the people of the several counties," approved January 27th, 1847 ;

Which motion prevailed.

Mr. Edwards moved to amend the bill by restricting the provisions to the seventh and tenth judicial circuits ;

Which motion prevailed.

The bill was then referred to the members composing the said 7th and 10th judicial circuits.

No. 129. A bill to change the times of holding the circuit and probate courts in the county of Switzerland ;

Was read a second time and ordered to a third reading.

No. 132. A joint resolution in relation to the public documents of the State of Indiana ;

On motion by Mr. Cravens,

Certain papers, referring to the subject matter of the bill, were read.

Mr. Chandler moved to indefinitely postpone the bill ;

Which motion did not prevail.

Mr. Chandler moved to amend the bill by inserting "all other colleges and seminaries in the United States :

Which motion did not prevail.

The bill was then ordered to a third reading.

No. 133. A bill to amend an act entitled "an act authorizing the construction of plank roads," approved January 15, 1849 ;

Was read a second time and ordered to a third reading.

No. 134. A bill to incorporate the Bowling Green Manufacturing and Navigation company ;

Was read a second time, and

On motion by Mr. Harney,

Was referred to the committee on corporations.

No. 136. A bill to organize a probate court in the counties therein named ;

Was read a second time.

Mr. Yocum moved to amend the bill by striking out the county of Clay where it occurs in the bill;

Which motion prevailed.

On motion by Mr. Lane,
The bill was laid upon the table.

No. 137. A bill for the relief of the Lawrenceburg and Napoleon Turnpike company ;

Was read a second time, and

On motion by Mr. Robinson of Decatur,
Was referred to the committee on corporations.

No. 239. A bill providing for the election of township assessors in the counties of Greene and Hamilton ;

Was read a second time.

On motion by Mr. Harvey,
The bill was referred to a select committee, consisting of Messrs. Harvey, Stoops, and Humphreys.

No. 142. A bill amendatory to an act entitled "an act to define the jurisdiction of justices of the peace in the several counties therein named ;"

No. 143. A bill to legalize the returns of the vote given for and against the school law in Shelby county ;

Were each read a second time and ordered to a third reading.

No. 144. A bill to change the name of the town of Springfield in Hendricks county ;

Was read a second time, and

On motion by Mr. Russell,
The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 145. A bill to legalize to legalize the acts of Johnson Farley, a justice of the peace ;

Was read a second time and ordered to a third reading.

No. 150. A bill to incorporate the trustees of the Hartsville Academy ;

Was read a second time.

On motion by Mr. Essex,
The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 152. A bill to incorporate the town of Hartsville, Bartholomew county ;

Was read a second time, and

On motion by Mr. Hart,
The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 153. A bill to amend an act entitled "an act to incorporate the city of Jeffersonville," and enlarge the boundaries thereof ;

No. 166. A bill to prevent frauds upon the revenue ;

Were each read a second time and ordered to a third reading.

No. 167. A bill to incorporate the Fort Wayne and Piqua Plank Road company ;

Was read a second time.

On motion by Mr. Mickle,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 169. A bill to authorize the trustees of the First Regular Baptist Church of Crawfordsville, Montgomery county, Indiana, to sell land ;

Was read a second time.

On motion by Mr. Harney,

The rule was suspended the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 173. A bill to incorporate the Rushville and National Road Plank Road Company ;

Was read a second time.

Mr. Rush offered the following amendment :

Amend section 27 by inserting the word "gravel," before the word "plank ;" so as to make it read "gravel or plank."

Sec. 2d. That if it shall be found expedient or advantageous to the location and construction of said road, the corporation shall have the right to lay the same along and upon any State or county road : *Provided, however*, That before such location shall be made, the corporation shall make application to the county commissioners of the proper county for such right; and said commissioners are hereby vested with power to grant the same by an order entered on their record.

Which was adopted.

On motion by Mr. Rush,

The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 174. A bill to amend an act "authorizing the board of commissioners of Cass county to issue bonds bearing ten per cent. interest per annum," approved January 28th, 1843 ;

No. 176. A bill to increase the per diem allowance of the probate judge of the probate court of Fountain county ;

Were each read a second time, and ordered to a third reading.

No. 177. A bill to amend the charter of the Crawfordsville Institute ;

Was read a second time.

On motion by Mr. Harney,

The rule being suspended therefor, the bill was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 178. A bill to incorporate the Noblesville and Northfield Plank Road Company ;

Was read a second time, and ordered to a third reading.

No. 179. A bill to change the time of holding the Hancock circuit court ;

Was read a second time.

On motion by Mr. Brown of Shelby,

Was referred to the committee on the judiciary.

No. 180. A bill defining the duties of Treasurer of Hancock county ;

Was read a second time, and ordered to a third reading.

No. 186. A bill requiring an enumeration of the white male inhabitants of this State ;

Was read a second time.

Mr. Mickle moved to lay the bill on the table ;

Which motion did not prevail.

On motion by Mr. Graves,

The bill was referred to the committee on elections.

Mr. Wilson moved that the House adjourn ;

Which motion did not prevail.

Mr. O'Haver moved to suspend the order of business :

Which motion did not prevail.

No. 187. A bill to locate a State road in the counties of Posey and Vanderburgh ;

Was read a second time, and ordered to a third reading.

No. 190. A bill to repeal an act entitled "an act to vacate a certain road in the county of Switzerland," approved January 17th, 1849 ;

Was read a second time and ordered to a third reading.

No. 191. A bill to establish an additional precinct in Marrs township, in the county of Posey ;

Was read a second time and ordered to a third reading.

No. 195. A bill to provide for the more speedy collection of the State Revenue, and secure the prompt payment of the interest on the State debt ;

Was read a second time, and,

On motion by Mr. Brown of Shelby,

Referred to the committee of ways and means.

On motion by Mr. Carr,

The order of business was suspended.

Mr. Carr introduced

No. 433. A bill to amend the charter of the New Albany and Salem Railroad Company ;

Which was read a first time and passed to a second reading.

On motion,

The rule was suspended and the bill read a second time.

Mr. Cravens moved to amend the bill by inserting in the proper

place, "that nothing in said bill shall effect the \$20,000 stock taken in said road by Washington county, in its corporate capacity;"

Which motion did not prevail.

On motion by Mr. Carr,

The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Allen moved that the House adjourn ;

Which motion did not prevail.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, without amendment :

No. 6. An act relative to appeals and changes of venue from probate courts ;

No. 192. An act to confirm the Angola Plank Road Company ;

No. 352. An act relative to a receiver in chancery in the county of St. Joseph ;

Mr. Ross moved that the House adjourn ;

Which motion did not prevail.

On motion by Mr. Prather,

The House adjourned.



THURSDAY MORNING, 9 O'CLOCK, JANUARY 10, 1850.

The House met.

On motion by Mr. Withers,

The reading of the journal was dispensed with.

A message from the Senate by Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions of the House without amendment :

No. 49. An act extending the jurisdiction of notaries public.

No. 51. An act to restrict the grand jury in Franklin county to a limited time in their sessions.

No. 67. A joint resolution in relation to soldiers of the war with Great Britain.

No. 79. A joint resolution relative to using the lash in the United States Navy.

No. 80. A joint resolution relating to the bounty land and three months extra pay of deceased officers, musicians, and privates engaged in the war against Mexico.

No. 83. A joint resolution in relation to a mail route from Stilesville, in Hendricks county, to Gosport, in Owen county, in the State of Indiana.

No. 90. An act to amend an act entitled "an act to recharter Hanover College."

No. 101. An act to change the time of holding the board of equalization in the county of Warren.

No. 102. An act to appropriate part of the school funds in the county of Warren.

No. 114. An act to incorporate the Jasper Plank Road company.

No. 134. An act to authorize the citizens of Adams county to vote for or against the relocation of the county seat of said county.

No. 135. An act regulating the pay of the probate judge of Vanderburgh county.

No. 136. A joint resolution in relation to publishing an act therein mentioned.

No. 150. An act to exempt from the payment of State and county tax the Olive Branch Church in Jefferson county.

No. 154. An act to amend an act entitled "an act authorizing the construction of Plank Roads," approved January 15, 1849.

No. 159. An act to locate a State road in the counties of Miami and Wabash.

No. 163. An act providing for the sale of the school section in Congressional township No 26 north, of range 3 west, lying in the counties of White and Carroll.

No. 168. An act to incorporate the Evangelical Lutheran St. John's Church in Dearborn county.

No. 169. A joint resolution in relation to donating the public lands to actual settlers.

No. 174. An act to authorize the commissioners of Carroll county to employ a physician for the poor.

No. 184. An act to amend the charter of the city of Evansville.

No. 185. An act to change the time of holding the April terms of the commissioners' court of Jefferson county.

No. 190. An act for the relief of Catharine Schnell and Dorothy Debler, wife of Louis Debler, of Vanderburgh county.

No. 191. An act relating to the Sullivan county library.

No. 194. An act to authorize Joseph A. Williams and John Morgan to erect and maintain a mill dam across the Wabash river, at or near Bluffton, in Wells county.

No. 198. An act to extend the time of holding county courts in Perry county.

- No. 199. An act for the benefit of Lewis Chappell.
- No. 200. An act to authorize Isaac Wilcox to construct a bridge or culvert over a State road in the county of Morgan therein described.
- No. 202. An act for the relief of Cain Dockery.
- No. 207. An act for the relief of Hannah S. Martin.
- No. 209. An act relative to the Seminary of Sullivan county.
- No. 211. An act relative to the board of commissioners of Franklin county.
- No. 213. An act to legalize the acts of commissioners appointed to locate a road in the counties of Fountain and Tippecanoe.
- No. 215. An act to compel non-residents to pay a road tax equal to that paid by residents in the county of Whitley.
- No. 223. An act to vacate an alley in Greencastle.
- No. 234. An act relative to the Union Plank road, in Laporte county.
- No. 238. An act to amend a certain act therein named.
- No. 249. An act to authorize James Taylor to erect a mill dam across the Salamony river, in Huntington county.
- No. 265. An act to provide for electing supervisors by districts in the counties of Boone, Delaware, Huntington, Whitley, Parke, and Posey.
- No. 288. An act for the relief of Nehemiah Cheeseman, of Wayne county.
- No. 304. An act to provide for carrying the unpaid taxes of 1847, and the delinquent taxes of previous years, on the tax list of 1850, in the county of Adams.

PETITIONS, &C., PRESENTED.

By Mr. Alley.

The petition of sundry citizens of Hancock county, in relation to the creation of a Court of Common Pleas for said county :

Also, a remonstrance on the same subject :

Which,

On motion,

Was referred to the same committee to whom was referred Senate bill,

No. 295. A bill establishing a Court of Common Pleas in the county of Hancock, and defining its jurisdiction ;

Consisting of Messrs. Alley, Edwards, Brown of Shelby, Chandler, and Miller of Owen.

By Mr. Chandler,

The temperance memorial of citizens of Warren county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Ellis,

The petition of sundry citizens of Madison county, on the subject of restricting the sale of ardent spirits ;

Which,

On motion,

Was referred to a select committee, consisting of
Messrs. Ellis, Watkins, and Chandler.

By Mr. Prather,

The petition of 152 ladies of Shelbyville, on the subject of temperance ;

Which,

On motion,

Was referred to a select committee, consisting of
Messrs. Prather, Brown of Shelby, and Carnahan of Fountain.

By Mr. Prather,

The temperance memorial of 89 citizens of the city of Indianapolis ;

Which,

On motion,

Was referred to a select committee on the same subject.

By Mr. Dodd,

The petition of sundry citizens of Grant county, to legalize certain proceedings in the Probate Court of said county ;

Which,

On motion,

Was referred to a select committee, consisting of
Messrs. Dodd, Greathouse, and Miller of Fulton.

By Mr. Johnson,

The remonstrance of citizens of Adams township, in Parke county, against granting the prayer of certain temperance memorialists ;

Which,

On motion,

Was referred to a select committee, consisting of
Messrs. Johnson, Tinbrook, and Hunter.

By Mr. Johnson,

The temperance memorial of citizens of Parke county ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Holcomb,

The petition for the relief of Sarah M. Emerson ;

Which,

On motion,

Was referred to a select committee, consisting of
Messrs. Holcomb, Landiss, and Barker.

By Mr. Greathouse,

The petition of sundry citizens of Evansville, and members of the Common Council of said city, to amend the city charter of Evansville ;

Which,

On motion,

Was referred the committee on corporations.

On motion by Mr. Withers,

The order of business was suspended.

Mr. Withers offered the following resolution :

Resolved, That this House will hold night sessions from and after the 10th of January, until the close of the session from 7 to 9 o'clock P. M.

On motion by Mr. Mickle,

The resolution was laid on the table.

By Mr. Orr,

The petition of R. R. Kelley and other citizens, of Delaware county, praying that certain territory in the county of Delaware may be attached to the county of Blackford ;

Also, the remonstrance of John Crowe, David Heal, and 90 others, against attaching certain territory of the county of Delaware to the county of Blackford ;

Also, the remonstrance of Alexander Davis, and 115 others against attaching certain territory of the county of Delaware to the county of Blackford ;

Which,

On motion,

Were referred to the select committee to whom was referred Senate bill No. 126, consisting of

Messrs. Huey, Orr, Brown of Shelby, Cravens, and Cotton.

By Mr. Murray,

The temperance memorial of citizens of Howard county :

Which,

On motion,

Was referred to the select committee on the same subject.

REPORTS FROM COMMITTEES.

Mr. Elder, from the committee on ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means, to whom was referred that portion of the Governor's Message relating to the sale of the " Georgia lands," have had the same under consideration, and instructed me to report, that for the purpose of making a full and fair examination into matters touching the sale of these lands, they have examined documents connected therewith, and also several witnesses, under oath, and found no evidence to implicate any one concerned in fraudulent designs. After a thorough examination of the testimony within their reach, they have come to the conclusion that the sale of these lands were made according to the law authorizing the same. The committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Mickle, chairman of the committee on ways and means, made the following report :

MR. SPEAKER :

The standing committee of ways and means, to whom was referred bill of the Senate, No. 195, entitled "An act to provide for the more speedy collection of the State revenue and to secure the prompt payment of the interest on the State Debt," have, according to order, had that matter under consideration, and directed me to report that in the opinion of your committee it is inexpedient to legislate upon the subject; they therefore recommend the indefinite postponement of the same, and ask to be discharged from the further consideration of the same.

Which report was concurred in;

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House, No. 361, entitled "A bill to amend article 2, chapter 45 of the Revised Statutes of 1843, in relation to actions of ejectment and occupying claimants," have had said bill under consideration, and have directed me to report the same back to the House with the accompanying amendments, and, upon the adoption thereof, said committee recommend the passage of said bill.

Amend as follows :

First. Strike out of first section, sixteenth line the word "ten," and insert "thirty."

Second. Add after the word assessed, in the third line of the second section, the following : "And all costs in the proceedings herein authorized, made previous to issuing said writ of seizin or possession."

Third. Add at the end of third section the following : "And no such writ of seizin or possession shall be issued until the successful claimant shall have paid to the occupying claimant, or to the clerk of said court, any amount which he may previously have elected to pay, also such excess of interest and all costs for which he is liable."

Fourth. Strike out all of fourth, fifth, and sixth sections.

Fifth. Add the following section :

"Sec. —. The third item of the forty-ninth section of the aforesaid article 2, chapter 45, is hereby repealed."

Which report and amendments were concurred in.

The bill as amended was ordered to be engrossed.

Mr. Niblack, from the committee on claims, made the following report :

MR. SPEAKER :

The standing committee on claims, to whom was referred a resolution of the House instructing said committee to inquire how much, if any thing, is due Albert S. White and William W. Wick for services as attorneys in resisting a claim against the State in favor of Jesse Beard and Elias L. Beard, have had the same under consideration, and have instructed me to report that in the opinion of said committee the said Albert S. White and William W. Wick ought to be allowed the sum of four hundred dollars each for their services as aforesaid, and recommend that the matter be referred to the committee of ways and means, with instructions to insert those amounts in a bill making specific appropriations for the year 1850, and ask to be discharged from the further consideration of the subject.

On motion by Mr. Prather,
The report was laid on the table.

Mr. Athon, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The standing committee on claims, to whom was referred the petition of sundry citizens of Seminary township in Gibson county, have had the same under consideration, and directed me to report the accompanying bill and respectfully recommend its passage, and ask to be discharged from the further consideration thereof.

No. 434. A bill for the benefit of certain citizens of the Seminary township of Gibson county ;

Which was read a first time, and passed to a second reading.

Mr. Hart, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The standing committee on roads, to whom was referred the petition of sundry citizens of St. Joseph county, praying for the vacation of a certain State road therein named, have had the same under consideration, and directed me to report the following bill, and the committee ask to be discharged from the further consideration thereof.

No. 435. A bill to vacate a certain State road in the county of St. Joseph ;

Which was read a first and second times, the rule being suspended therefor, and ordered to be engrossed.

Mr. Alley, from the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred the petition of sundry citizens of Hancock and Hamilton counties, praying for the vacation of a part of a certain State road therein named, have had the same under consideration, and have found that the petition contains the required number and qualifications of subscribers, according to law, and that the lawful notice had been given. The committee have therefore instructed me to report the following bill, and recommend its passage, in answer to the prayer of the petitioners :

No. 436. A bill to vacate part of a State road therein named.

Which was read a first and second times, the rule being suspended therefor, and ordered to be engrossed.

Mr. Hart, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The standing committee on roads to whom was referred Senate bill No. 282, entitled an act to locate a State road in the counties of Clinton and Tipton, and also the remonstrance of citizens of the counties of Clinton and Tipton, against the passage of said bill, have had the same under consideration, and directed me to report the same back to the House and recommend said bill to be laid upon the table ; and the committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

On motion by Mr. Prather,

The House took from the table the report of the committee on claims, in relation to the services of Albert S. White and William W. Wick, attorneys for the State, in the case of the State vs. Beard.

Mr. Prather moved to refer the report to the committee of ways and means, with the following instructions :

Instruct the committee of ways and means, to whom was referred the report of the committee on claims, allowing A. S. White and W. W. Wick four hundred dollars each for prosecuting the pleas of the State against Bairs & Co., to reduce the amount to two hundred dollars each.

Mr. Chandler moved to lay the instructions on the table.

The ayes and noes being demanded by Messrs. Prather and Whinery :

Those who voted in the affirmative were,

Messrs. Athon, Bird, Bowen, Byers, Carnahan of Fountain, Carnahan of Posey, Chandler, Dougherty of Elkhart, Gessie, Goodwin, Greathouse, Hicks, Hillis, Holcomb, Mickle, Niblack, O'Neal, Shelby, Sherrod, Spencer, Yocum and Mr. Speaker—22.

Those who voted in the negative were,

Messrs. Allen, Alley, Barker, Beard, Brown of Randolph, Burnet, Caldwell, Cleaver, Cole, Connor, Cotton, Cravens, Defrees, Delavan, Dougherty of Boone, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Graves, Harney, Harvey, Hill, Huey, Humphreys, Hunter, Johnson, Keeney, Landiss, Lane, Lank, Leviston, May, Menaugh, Miller of Owen, Millikan, Morrison, O'Haver, Orr, Prather, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Ross, Rush, Russell, Salter, Stewart, Stone, Stoops, Summers, Thom, Thomas, Tinbrook, Warriner, Watkins, Weaver, Wells, Wilson, Withers, Whinery, and Wright—65.

So the instructions were not laid on the table.

Mr. Bird offered the following amendment to the instructions :

Provided said committee are of opinion that the services rendered to the State are worth only that amount.

Which was adopted.

Mr. Athon moved to lay the report and instructions on the table ;
Which motion did not prevail.

The question then recurring on referring the report to the committee of ways and means with instructions ;

Was decided in the affirmative.

Mr. Allen, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to whom was referred the petition of sundry citizens of Henry and Randolph counties, praying for a charter for a turnpike road therein named, have had the same under consideration, and directed me to report the same back to the House, and recommend its reference to the committee on corporations, and the committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Wilson, chairman of the committee on canals and internal improvements, made the following report :

MR. SPEAKER :

The committee on canals and internal improvements have had the communication of the Auditor of State, in reference to the re-valuation of certain Wabash and Erie Canal lands, under consideration, and have directed me to report the same back to the House, and ask that it be placed on the table.

Which report was concurred in.

Mr. Wilson, chairman of the committee on canals and internal improvements, made the following report :

MR. SPEAKER :

The committee on canals and internal improvements, to which was referred bill of the House No. 241, entitled "A bill to authorize suits against the Trustees of the Wabash and Erie Canal in certain cases," have had the same under consideration, and have directed me to report that any farther action on this bill is unnecessary, and that the same be laid on the table.

Which report was concurred in.

Mr. Cole, from the committee on canals and internal improvements, made the following report :

MR. SPEAKER :

The committee on canals and internal improvements, to whom was referred Senate bill No. 15, entitled "An act to amend an act entitled 'an act to incorporate the Lake Michigan, Logansport, and Ohio river Railroad Company,' approved the 17th of February, 1848," have had the same under consideration, and have directed me to report the same back to the House with two amendments, and, when so amended, to recommend its passage :

1st Amendment.

Amend by adding at the conclusion of the 1st Section—

And the construction of said road shall commence on or south of the said Indianapolis and Bellefontaine Railroad and progress northwardly, and shall not be constructed north of said Peru and Indianapolis Railroad until that portion of said road south of the said Peru and Indianapolis Railroad shall have been completed.

2d Amendment.

Amend by adding to the bill the following section :

Sec. —. The said Lake Michigan, Logansport, and Ohio river Railroad Company, or their agents, shall not make such location so as to cross said Peru and Indianapolis Railroad at any point south of the town of Kokomo in Howard county; and the said Lake

Michigan, Logansport, and Ohio river Railroad shall not, neither with nor without the consent of either or both of said companies or the directors thereof, connect with the said Peru and Indianapolis Railroad until the same shall be completed from the said town of Kokomo to the town of Peru in Miami county.

The question being on concurring in the first amendment ;
The ayes and noes being demanded by Messrs. Cole and Niblack :

Those who voted in the affirmative were,

Messrs. Beard, Brown of Randolph, Brown of Shelby, Burnet, Carnahan of Posey, Cleaver, Cole, Cotton, Cravens, Defrees, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Ellis, Farnesly, Gentry, Gessie, Goodwin, Graves, Greathouse, Harney, Hart, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Lane, Lank, Leviston, May, Menaugh, Mickle, Niblack, O'Neal, Orr, Richardson, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Shelby, Sherrod, Stone, Summers, Thom, Thomas, Tinbrook, Warriner, Withers, Wright, Yocum, and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Allen, Alley, Athon, Bird, Butler, Caldwell, Connor, Essex, Harvey, Hill, Hillis, Morrison, Murray, Prather, Reed, Ross, Salter, Stewart, Stoops, and Whinery—20.

So the first amendment was concurred in.

The question then being on concurring in the second amendment ;
The ayes and noes being demanded by Messrs. Murray and Whinery :

Those who voted in the affirmative were,

Messrs. Beard, Brown of Randolph, Brown of Shelby, Burnet, Carnahan of Fountain, Carnahan of Posey, Cole, Cotton, Cravens, Defrees, Dodd, Dougherty of Elkhart, Edwards, Elder, Ellis, Farnesly, Gentry, Gessie, Goodwin, Graves, Greathouse, Harney, Huey, Humphreys, Johnson, Keeney, Knowlton, May, Menaugh, Mickle, Niblack, Richardson, Rush, Russell, Shepard, Sherrod, Stone, Thom, Thomas, Tinbrook, Warriner, Withers, Wright, Yocum, and Mr. Speaker—45.

Those who voted in the negative were,

Messrs. Allen, Alley, Athon, Bowen, Butler, Caldwell, Campbell, Connor, Essex, Hart, Harvey, Holcomb, Lane, Lank, Leviston, Miller of Marshall and Fulton, Morrison, Murray, Orr, Prather, Reed,

Robinson of Decatur, Ross, Stewart, Stoops, Summers, Watkins, Weaver, Wells, and Whinery—30.

So the second amendment was concurred in.

The bill as amended was ordered to a third reading.

Mr. Cole, from the committee on canals and internal improvements, made the following report :

MR. SPEAKER :

The committee on canals and internal improvements to whom was referred bill of the House, No. 366, entitled "A bill to amend an act entitled an act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved January 19, 1846, (approved January 27, 1847,) have had the same under consideration and have directed me to report the same back to the House, without amendment, and recommend its passage.

Which bill was ordered to be engrossed.

When reports from the committee on corporations were in order on the 7th inst., the following named bill having been reported back by the committee on corporations, with amendments, was under consideration :

No. 309. A bill to amend an act entitled "An act to incorporate the Rushville and Lawrenceburgh Railroad Company ;

The question then being on concurring in the first amendment of the committee,

Mr. Robinson of Decatur, offered the following amendment to the amendment :

"*Provided*, That nothing in this section shall be so construed as to interfere with the rights or privileges heretofore granted to the Ohio and Mississippi Railroad Company.

Mr. Withers moved to lay the bill and pending amendments on the table.

Mr. Athon moved that there be a call of the House ;

Which motion prevailed.

On motion by Mr. Brown of Shelby,

Mr. Patterson was excused in consequence of sickness.

After some time being spent in the call, all the members answered to their names, except Messrs. Barker, Byers, Chandler, Landiss, Wilson, and the members previously excused.

Mr. Athon moved that the absentees be sent for ;

Which motion did not prevail.

On motion by Mr. Brown of Shelby,

The further call of the House was dispensed with.

The question then recurring on the motion of Mr. Withers, to lay the bill and pending amendments on the table.

The ayes and noes being demanded by Mr. Brown of Shelby, and Robinson of Decatur :

Those who voted in the affirmative were,

Messrs. Alley, Athon, Beard, Bird, Bowen, Butler, Caldwell, Connor, Cravens, Defrees, Dodd, Dougherty of Elkhart, Elder, Essex, Farnesly, Gentry, Goodwin, Greathouse, Hart, Hill, Hillis, Humphreys, Knowlton, May, Menaugh, Millikin, Morrison, Murray, Niblack, O'Haver, O'Neal, Prather, Richardson, Robinson of Laporte, Rush, Shelby, Shepard, Sherrod, Stewart, Stone, Summers, Thom, Thomas, Warriner, Weaver, Wells, Weir, Wilson, Withers, Whinery, Wright, and Mr. Speaker—52.

Those who voted in the negative were,

Messrs. Allen, Brown of Randolph, Brown of Shelby, Burnet, Campbell, Carnahan of F., Carnahan of Posey, Cleaver, Conaway, Cotton, Delavan, Dougherty of Boone, Edwards, Ellis, Gessie, Graves, Harney, Harvey, Hicks, Holcomb, Huey, Hunter, Johnson, Keeney, Lane, Lank, Leviston, Mickle, Miller of Marshall and Fulton, Orr, Reed, Robinson of Decatur, Ross, Russell, Salter, Stoops, Tinbrook, Watkins, and Yocum—39.

So the bill and the pending amendments were laid on the table.

Mr. Edwards, chairman of the committee on the State Library, made the following report :

MR. SPEAKER :

The joint standing committee on the State library, to whom was referred the communication of the State Librarian, in relation to certain State instruments, have had the same under consideration and directed me to report it to the House, and state that legislation is not necessary on the subject, and recommend that it be laid on the table.

Which report was concurred in.

Mr. Edwards, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill of the Senate, No. 112, entitled "An act to repeal an act, entitled an act to provide for the election of prosecuting attorneys by the people of the several counties," approved January 27, 1847, have had the same under consideration and directed me to report the bill back to the House, with the following amendments, and when so amended, to recommend its passage :

Amend by adding at the end of the first section, the following words :

So far as said act relates to the 7th and 10th judicial circuits.

Amend further by striking out the second and third sections, and insert the following section :

Sec. 2. That an act entitled "An act to provide for the election of prosecuting attorneys by the people," approved February 11, 1843, be and the same is hereby revived and declared to be in force from and after the passage of this act, so far as the 7th and 10th judicial circuits are concerned ; *Provided, however*, nothing herein contained, shall be so construed as to prevent the prosecuting attorneys, elected in any county of said circuits, from holding their said office, during the term for which they have been elected.

Mr. Wilson moved to amend the amendment by inserting the 2d judicial circuit in the bill.

Which motion prevailed.

Mr. Withers moved to amend by inserting the 4th judicial circuit.

Which motion prevailed.

Mr. Hill moved to amend the amendment by inserting the 6th judicial circuit.

Which motion did not prevail.

Mr. Chandler moved to amend the amendment by inserting the following proviso :

Provided, however, The prosecuting attorneys shall be paid nothing by the State.

Mr. Edwards moved to lay the amendment to the amendment on the table.

Which motion did not prevail.

Mr. Humphreys moved to lay the bill and pending amendments on the table.

Which motion did not prevail.

The question then recurring on the amendment to the amendment,

Was decided in the affirmative.

On motion by Mr. Humphreys,

The county of Greene was excepted from the provisions of the bill.

Mr. Murray moved to amend the amendment by adding the following proviso :

Provided, That the prosecuting attorneys authorized to be elected by this act, shall be entitled to the same fees as the prosecutors now are by the law by this act repealed.

On motion by Mr. Miller of Owen,

The amendment was amended by excepting the county of Owen.
Mr. Reed moved to amend the amendment by excepting the county of Warriek.

Which motion prevailed.

Mr. Carnahan of Fountain moved to amend the amendment by inserting the 1st judicial circuit.

Which motion prevailed.

Mr. Summers moved to amend the amendment by excepting the county of Henry.

Which motion prevailed.

Mr. Yocum moved to amend the amendment by excepting the county of Clay.

Mr. Edwards called the previous question.

Which was not seconded by the House.

On motion by Mr. Niblack,

The bill and pending amendments were referred to a select committee, consisting of

Messrs. Niblack, Wells, Holcomb, Edwards, and Shepard.

Mr. Elder, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Hagerstown, Wayne county, asking for several amendments to the act of incorporation of said town, have had the same under consideration, and have directed me to report the following bill, in accordance with the prayer of the petitioners, and recommend its passage.

No. 437. A bill to amend an act to incorporate the town of Hagerstown, in Wayne county ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Warriner, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry inhabitants of Porter county, have had the same under consideration, and directed me to report the following bill :

No. 438. A bill to extend the road laws, approved January 16th, 1849, to Porter county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Lank. from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition and remonstrance of sundry citizens of Randolph county, touching the repeal, so far as said county is concerned, of the act to define the jurisdiction of justices of the peace in the several counties therein named, approved January 16, 1849, have had the same under consideration, and have instructed me to report the following bill and recommend its passage :

No. 439. A bill to repeal a certain act therein named, so far as it relates to the county of Randolph, and to revive certain other laws ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Farnesly, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred bill of the House, No. 379, an act in relation to the school funds in Floyd county, have had the same under consideration, and have directed me to report the following bill, and recommend its passage.

No. 440. A bill in relation to the school fund in Floyd county ;
Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Gessie, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of A. B. Small, and others, praying for an additional justice of the peace in Highland township, Vermillion county, have had the same under consideration, and have directed me to report the following bill, and recommend its passage :

No. 441. A bill authorizing the election of an additional justice of the peace in Highland township, Vermillion county ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hunter, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Aaron Wright, and the affidavits of sundry citizens, have had the same under consideration, and have directed me to report the accompanying bill, and recommend its passage :

No. 442. A bill for the relief of Aaron Wright, of Marion county ;

Was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Whinery, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred the petition of Wm. Ingram, and other citizens of St. Joseph county, have had the same under consideration, and instructed me to report the following bill, and recommend its passage :

No. 443. A bill to attach certain territory in the county of LaPorte ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

Mr. Harney, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the Senate No. 273, have had the same under consideration, and have directed me to report it back, without amendment, and recommend its passage :

No. 273. A bill to incorporate the North Western Christian University ;

Which was ordered to a third reading.

On motion by Mr. Harney,
The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Essex, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition and remonstrance from the citizens of Newbern, in Bartholomew county, have had the same under consideration, and directed me to report the following bill, and recommend its passage :

No. 444. A bill to incorporate the town of Newbern, in Bartholomew county ;

Was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Campbell, from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of J. H. Naylor, and others, asking for the re-location of a State road in Tippecanoe county, have had the same under consideration, and directed me to report the following bill :

No. 445. A bill to vacate a State road in Tippecanoe county ;

Was read a first time.

On motion by Mr. O'Neal,

The rule was suspended, the bill read a second time, and

Referred to the committee on roads.

Mr. Mickle, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred sundry petitions of the citizens Adams and Allen counties, on the subject of a plank road from Fort Wayne to the Ohio State line, in the direction of the town of St. Mary's, have instructed me to report that the prayers of the petitioners have been attained by a bill of the Senate, which has passed this House, it is therefore recommended that the petitions be laid on the table, and the committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Brown of Randolph, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition and re-

monstrance of certain citizens of Randolph county, relative to the expediency of changing the name of Trenton in said county, to that of Huntsville, have had the same under consideration, and have directed me to report the following bill, and recommend its passage :

No. 446. A bill to change the name of Trenton, in the county of Randolph ;

Was read a first, second, and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Defrees, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of James H. Barns, John Fitzpatrick, and others, in relation to the increase of the salary of probate judge in Elkhart county, have instructed me to report the following bill, and recommend its passage :

No. 447. A bill to increase the salary of the probate judge of Elkhart county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cleaver, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Franklin county, praying an act of incorporation to authorize the construction of a turnpike road in said county, have had the same under consideration, and report the following bill, the passage of which they recommend :

No. 448. A bill to incorporate the Drewersburgh Turnpike Company.

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Chandler, from a select committee, made the following report :

MR. SPEAKER :

A majority of the select committee to whom was referred the petition of Elisha Rodgers and others, praying that a law might be passed prohibiting the sale of spirituous liquors in the township of

Mound, in the county of Warren, and State of Indiana, without first procuring a license therefor, have had the same under consideration, and have instructed me to report the accompanying bill and recommend its passage, and pray that they may be discharged from the further consideration thereof;

No. 449. A bill to prevent the sale of spirituous liquors in Mound township, in the county of Warren, without first procuring license therefor;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Yocum, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of the counties of Clinton and Tipton, have had that subject under consideration, and have directed me to report the following bill and recommend its passage :

No. 450. A bill to legalize the Lafayette and Muncietown State road in the counties of Clinton and Tipton ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Salter, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred the petition of sundry citizens of the county of White, have had the same under consideration, and instructed me to report the following bill and recommend its passage :

No. 451. A bill repealing the license of traveling pedlers in several counties therein named ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Greathouse, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of the auditor of Vanderburgh county, and have directed me to report the following bill, and respectfully request its passage :

No. 452. A bill relative to the county seminary property of Vanderburgh county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Miller, of Marshall and Fulton, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill of the House No. 375, entitled "an act to extend the time of sitting of the Probate Court of Fulton county," have had the same under consideration, and directed me to report the same back to the House without amendment, and respectfully recommend the passage of the bill.

On motion,
The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Thomas, from a select committee, made the following report :

MR. SPEAKER :

The select committee to was referred Senate bill No. 188, have had the same under consideration, and directed me to report the same back without amendment, and recommend its passage.

No. 188. A bill supplemental to an act entitled an act to incorporate the town of Mount Vernon, approved January 27, 1847 ;

On motion,
The rules were suspended, and the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cole, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Miami county, praying for the passage of an act changing the name of the town of White Hall in Miami county to Wapecong, have had that subject under consideration, and have directed me to report the following bill, and recommend its passage :

No. 453. A bill to change the name of the town of White Hall in Miami county to that of Waw-pe-cong.

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Dodd, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of John M. Wallace, concerning proceedings in the Grant Probate Court, have instructed me to report the following bill, and recommend its passage :

No. 454. A bill to legalize certain proceedings in the Grant Probate Court.

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Alley, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred House bill No. 377, a bill to amend the 38th section of article 2, of chapter 15, of the Revised Statutes of 1843, have had the same under consideration, and directed me to report the same back without amendment, and recommend its passage.

Which bill was ordered to be engrossed.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Watkins, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred House bill 395, entitled a bill to incorporate the St. Paul's Church and St. Joseph's School Society, in the town of New Alsace, Dearborn county, Ind., have had the same under consideration, and instructed me to report the bill back without amendmend and recommend its passage.

Which bill was ordered to be engrossed.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Carnahan of Posey, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of William Davis, and one hundred and eighty-eight other citizens of Posey county, praying a division of said county, and the formation of a new county, by the name of Cynthiana, have had the same under consideration, and have directed me to report that there is no evidence before the committee tending to prove that notice had been given of the intended application, pursuant to the first section of an act entitled an act defining the duties of petitioners for the formation of new counties, approved January 13th, 1845; and in the absence of such notice, the committee are of opinion that this General Assembly cannot act. The committee therefore respectfully ask to be discharged from the further consideration of the subject.

Which report was concurred in.

A communication from the Governor, by Mr. Tarkington, the Executive Messenger :

MR. SPEAKER :

I am directed by the Governor to lay before the House of Representatives the following communication :

EXECUTIVE DEPARTMENT, {
January 10, 1850. }

Gentlemen of the House of Representatives:

Having received and accepted this day the resignation of the Hon. G. H. Dunn, President Judge of the 13th Judicial Circuit of the State of Indiana, you are therefore hereby informed of said vacancy in said Circuit.

Respectfully,
JOSEPH A. WRIGHT.

Mr. Warriner, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of certain inhabitants of Porter county, have had the subject referred to

under consideration, and ordered me to report the accompanying bill and recommend its passage :

No. 455. A bill declaring the Calumet river a public highway.

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Yocum, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred a petition from sundry citizens of Clay and Owen counties, on the subject of a school district, have had the same under consideration and directed me to report the following bill and recommend its passage :

No. 456. A bill defining the boundaries of school district No. 1, in Congressional township, No. 12 north, of range No. 5 west, in the counties of Clay and Owen ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Ross, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of the counties of Franklin and Union, praying for a charter for a turnpike road from Mixerville, in Franklin county, to Miller's Mill, in Union county, would beg leave to report that there is a bill now before the Senate that embraces the road prayed for by said petitioners. The committee deem it unnecessary to report a bill. They ask, therefore, to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Shepard moved that the House adjourn ;

Which motion did not prevail.

Mr. Carnahan of Fountain, from a select committee made the following report :

MR. SPEAKER :

The select committee, to whom was referred the memorial of the Rev. Charles K. Thompson, President of the Covington Colonization Society, and others, officers and managers of the same, representing that William W. Findlay and others, (persons of color), who

were desirous of emigrating to the Republic of Liberia, were of good moral character, but unable to remove to said Republic of Liberia for want of sufficient means, and praying that this General Assembly would make such appropriations of money from the State Treasury to the National Colonization Society as would enable them to transport the colored persons referred to; and also praying that this General Assembly would instruct our Senators and request our Representatives in Congress to use their influence in procuring a change in the national policy for the purpose of suppressing the slave trade, that instead of blockading the African coast with a line of armed vessels they would endeavor to colonize the western coast of Africa as a cheaper and more effectual means of prohibiting the slave trade. At the same time with the above recited memorial there was referred to the same committee the petition of William W. Findlay, alluded to in the aforementioned memorial, on behalf of himself and others, praying aid of the State to assist him in his removal to said Republic of Liberia; also, at a subsequent time, a joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence to procure a change in the national policy on the subject of the slave trade. Your committee would respectfully report that they have had said memorials and joint resolution under consideration, and that they have instructed me to report that it is the opinion of said committee that it is inexpedient, in consequence of the present embarrassed condition of the State Treasury, and in consequence of the expenditures the Treasury will the ensuing season be called upon to meet, to grant the prayer of the memorialists for the appropriation of money from the State Treasury to defray the expenses of transportation for those persons wishing to emigrate to the Republic of Liberia. The poverty of the State Treasury, and the obvious impropriety at the present period of contributing therefrom to meet the demands of William W. Findlay, and those friendly to his emigration, so readily and so imperiously suggested itself, that the committee did not regard the proposition at this time a practical question; yet your committee were, however, impressed with the fact that a new era has opened upon the colonization enterprise, an era in which the work of colonizing the people of color, if successfully prosecuted, must pass out of the hands of individuals and voluntary associations into the hands of the States of the Union.

Your committee would further report that there are other matters contained in the petition of your memorialist worthy the consideration of this House, and that they are forcibly impressed with the necessity of meeting the prayers of such petitioners in the spirit of compromise, and entertaining them with becoming respect.

Such has been the success of Liberia, and so respectable is that young Republic that by the force of her own attraction she is calling of from this land hundreds of emigrants; and the benevolent among the slaveholders of the South feel that her success and prosperity are additional calls, uttered in louder than thunder tones, de-

manding that the sons of Africa be emancipated and restored to the land of their fathers. To this call they are responding, and in large numbers emancipated slaves are placed at the disposal of the Colonization Society to await the call of the transporting agents. Many Southern men feel that the success of Liberia sweeps away the last apology for perpetuating slavery, and the conscience of the South has taken alarm, and is now demanding a hearing in behalf of the poor enchained African. This sentiment of right will grow and spread in slave States until the whole is leavened, and a system of emancipation is produced that will restore the colored people of our land to their natural rights.

But, beyond this point, your committee have likewise considered the prospective destiny of our country, provided the means of separating the colored from the white race are not adequate to meet the case. In that event two distinct races will be pent up together in the same nation, being different in color, different in many interests, and divided by the remembrance on the one hand of oppression and injury suffered, and on the other by severity and degradation endured. This bitterness of feeling is faintly shadowed forth in the passing events of our own day. But what will be the state of things when, perhaps, millions of colored freed men are arrayed against millions of our race, when they will boldly and confidently demand what they are beginning in some quarters to timidly and hesitatingly ask, "the right of suffrage," and "the right of holding offices of honor and profit." Then will come the struggle for equality on the one hand, and for continued pre-eminence on the other, which will convulse this land from centre to circumference; a struggle that will far exceed that which is now disturbing our National Councils; a struggle that will result in the political and social independence of the colored race, or in a second season of continued black oppression. Since the time of the struggles of the Romans and the Sabines for national pre-eminence and power, all history tests the fact that two races, distinct in feeling, diverse in interest, and severed in nationality, cannot harmoniously exist together. There must be a fusion or explosion; and to mingle the Anglo-Saxon with the African blood, is as much to be deprecated as the alternate evil. The bloody scenes of St. Domingo affirms the fact that a Toussark, a leader, may be found among the colored race who is capable to lead a desperate band to battle and bloodshed. A servile war is more to be apprehended, should the colored race still be permitted to multiply so rapidly in our midst, than is a dissolution of our Union, both in respect to the imminence of the danger of its occurrence, and the magnitude of the calamity should it occur.

From this state of things, the prayer of the memorialists suggests a remedy, by recommending a peaceable separation of the races. And as Liberia seems to be the natural, future resting place and home of the colored man, your committee think the spirit to emigrate thither, should be encouraged, and that, as your memorialists urge, your committee believe that the policy of the General Government

should be to furnish ample means of transportation, and that part, if not all the fund expended in supporting our blockading squadron on the coast of Africa, might be expended in settling said coast with colonies of colored men, and thus accomplish the double object, of suppressing the slave trade and promoting the work of colonization at the same time. And further, it has occurred to your committee, to call attention to the movements of England and her designs on the continent of Africa, as affecting the commercial interests of our country. For a number of years, the British Government has been considering the subject of the slave trade, and the best plan of extinguishing it, and the result of this examination seems to tend to a change of policy on this point. And the civilization of Africa, by colonization, missionary, &c., seems to be the scheme they are about adopting in the place of the present expensive and hitherto, unsuccessful plan. She aims further, to absorb and monopolize the trade of Central Africa, and for this purpose, she wishes to make Liberia tributary to her designs ; in which she may succeed, unless our nation casts off that contempt with which it has always treated the efforts of colored men to govern themselves. At the last session of the General Assembly of this State, a joint resolution was passed, requesting our Senators and Representatives, "in the name of the State of Indiana, to solicit and procure from our General Government, a recognition of the independence and sovereignty of the Republic of Liberia." Should the General Government recognize the independence of this Republic, and conclude treaties of commerce with her, and establish a few lines of transports to ply between this country and Liberia, it would be the means of cutting out a new channel for the trade of Africa, and make our country the emporium of her valuable tropical merchandize and products.

The commercial enterprise of our country is actively engaged in seeking new channels of trade—methods by which the rich merchandize of foreign countries may be made tributary and subsidiary to her commercial energy and enterprize. For this purpose, the construction of the Atlantic and Pacific Railroad has been projected at the cost of millions, and to other than the exhaustless and indomitable energy of the Anglo American character, would appear impractical and chimerical. Your committee believe that, with an incomparably smaller cost, the products and merchandize of a continent could be secured, with the advantages of a reciprocal exchange of commodities. Why might we not be the first commercial nation of the earth? Our ships and transports outnumbering every rival land. Our country's maritime power might be extended until it could be said—

"Her march is on the mountain wave.
Her home is on the deep."

Your committee has not failed to observe that the President of the United States, in his last message, earnestly invites the atten-

tion of Congress to an amendment in the existing laws relating to the African slave trade, with a view to the more effectual suppression of that barbarous traffic. The attention of our national congress being thus legitimately called to the subject, and their action invoked, in the opinion of your committee, the scheme proposed in the joint resolution referred to said committee will be opportunely submitted to their consideration.

Your committee would but remark that this is a platform upon which all can stand—a plan that the north and south can unite in and co-operate together without exciting sectional animosity and hostility—without creating a new source of discord to disturb the cherished harmony of our Republic—that from its adoption, no occasion can ever arise for “characterizing parties by geographical discriminations ;” but it presents a project which, by National and State co-operation, may be developed into a system which may ultimately remove the blighting influence of slavery, and the gradual separation of the colored race from our midst.

Your committee would, therefore, respectfully report back to the House, the joint resolution referred to them, which is of the same import with the national prayer of the petition, and respectfully recommend the passage of the same :

No. 139. A joint resolution on the subject of the African slave trade.

Mr. Sherrod moved to lay the joint resolution on the table.

The question being put on laying the joint resolution on the table, it appeared that no quorum was present ;

When the House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

On motion by Mr. Hunter,

The order of business was suspended.

On motion by Mr. Hunter,

Resolved, That the committee on claims be and are hereby instructed to inquire what amount is due Samuel J. Patterson, from the State, for work done upon the Northern Division of the Central Canal, and materials furnished in repairing the same, and report by bill or otherwise.

The House took up the following message from his Excellency, the Governor :

Gentlemen of the House of Representatives :

I return the bill of your House No. 248, entitled an act to dispose of the equity of redemption of the State of Indiana in the White Water Valley Canal, and for other purposes, without my approval, and with a brief statement of the reasons which influence me to withhold my signature.

The State of Indiana had expended on this work more than a million of dollars prior to the year 1842, the work being then in an unfinished state. The whole Canal, with all the interest the State had in the same, was granted to the company called the White Water Valley Canal Company.

The only pecuniary interest that the State retained by the charter of 1842, is secured by the proviso to the second section, which enacts that after the expiration of fifteen years from the time the company should finish the Canal, the State shall have the nett profits which may arise from it over and above eight per cent.

This contingent overplus at the end of fifteen years, and after eight per cent. clear of expenses are paid on the investment, is all that the State has reserved to herself in return for granting to the company the Canal that leads to the great western mart, to which the trade of eastern Indiana must go, draining the richest portion of the State, with no rival work to detract from its trade, through the oldest and wealthiest part of the State, and which has cost Indiana eleven hundred thousand dollars. This bill authorizes the Treasurer and Auditor of State, on a certain day after sixty days' notice, to sell all the interest the State has in this work to the highest bidder, and provides that this company shall be competent bidders at said sale. It must be obvious that a sale of the interest of the State in this work, under the circumstances, would be for a mere nominal price. With the power to regulate tolls in the hands of the present company, it is possible for them to make the interest of the State of but little value. Before a capitalist would risk a purchase, he would require some guaranty that the tolls should be so regulated as to bring in the largest amount of revenue; for however great the trade and commerce, the rates may be so fixed as to only yield sufficient for repairs and the eight per cent.

Besides, no citizen would wish to invest money in an enterprise of this character, in which his interest would be hostile to that of the company, surrounded with difficulties, and embarrassed at every step. He would count all the cost well before he would make an investment. I think it may be taken for granted, that although this bill is a bill authorizing the sale of the White Water Valley Canal, it is in fact a bill to *surrender* the work to the company, with all the right the State has in the same. In that view alone do I regard the bill before me. The paramount objection to this bill with me is, that it offers to dispose of this large investment of the State without any information or report from any source as to the condi-

tion of the work, its income, water power, hydraulic privileges, what its real value is, &c., &c.

A prudent citizen, who has an interest, however remote or contingent, in a transaction that he did not thoroughly understand, would not offer such interest for sale, or surrender it up (at least upon the representation of the adverse party) without first making an examination himself, if qualified, and if not, without having such examination made by one competent to the task. And the adoption of such a rule would be good policy in the affairs of the State.

Before the State should surrender so large an investment altogether, she should appoint a competent and well qualified person, in whom confidence is to be reposed, to make a complete examination of the whole of her interest in this work, and thus act understandingly in the surrendering of the work, forgetting at no time that the whole people of the State have an interest in the same. It is a matter of no small importance to pass away upwards of a million of funds of the State, and I think it should not be done in this hurried *ex parte* manner, without any evidence of the value or prospects of the work in question. The offering to sell the interest of the State in our public works, or surrendering them up absolutely, under present circumstances, without holding in our hands any check or restriction, would be establishing a precedent full of incalculable mischief.

The object of the State should be to have our public works completed, and when completed, to be used by our citizens as channels of trade and commerce, by the payment of sufficient revenues to repay well the capital invested, but not to make them engines of oppression and monopolies. In this case, the fact that after the lapse of a few years, the State may receive a surplus over the expenses of the work, and eight per cent. on the capital invested, will of itself operate to keep the tolls, water rents, &c., within proper bounds. But surrender up all your public works, or sell them to the highest bidder, hold in your hands no check or restriction upon their future management, and when you have done this you will have placed in men's hands the power to cripple the trade of the country by exorbitant charges. We should be willing to grant liberal profits to capital embarked in all such enterprises, but then there should be some limit, some check, some restriction. If none is made, we leave the labor of the country to the mercies of corporations whose desire for gain is too frequently limited only by their power.

It is said that the interest of the State in this work is of no value. If this is true, it is a little remarkable that individuals should be so importunate for the grant of a worthless thing.

It will be found that in applications of this character, that arguments and language will always be at command to shew a pretext for the favors asked. But it is gravely said that capitalists will not

invest money in this work while the State holds her present residuary interest.

If the giving uninterrupted possession of this canal to the company for fifteen years, and after that time forever thereafter eight per cent. upon the investment, besides all expenses—if all this is not sufficient inducement to capitalists to invest money in this work, where the State has expended so much, and it is essential that foreign capital should be had, it would be better to enlarge the per cent. ; give them ten, even twenty per cent., than to give up the work without reserving any power to the State in its future management. But if it is determined to surrender up all the interest we have in the public works of the State, it should never be done without irrevocably connecting with the surrendering suitable checks and restrictions ; and among those that I would regard as the most prominent, I would claim in all time to come, the right of the State, through her Representatives, to supervise the powers of the companies. It is not contended by any one that the State has violated her contract as made with the company in 1842.

Most fortunately in this instance she is at no expense in the management of the canal. It is now in navigable order, and the people are receiving the benefits of the work.

The State will stand in the same situation as to this work in ten years from now, as at present, with the prospect of an increase of trade and commerce, and consequently an increase of tolls. Who can tell what the trade of this country is to be fifteen years hence ?

It is the part of prudence to hold on to what we have saved from the wreck of the past ; and when we shall sell or offer to sell our public works, let us make the offer understandingly, with all the facts before us, as to their value, prospects, &c., from a competent officer selected by the State.

JOSEPH A. WRIGHT.

January 9th, 1850.

No. 248. A bill to dispose of the equity of redemption of the State of Indiana in the White Water Valley Canal, and for other purposes.

On motion by Mr. Chandler,

A call of the House was ordered.

Mr. Stewart moved that the absentees be sent for.

Which motion prevailed.

After some time spent therein,

Mr. Ross moved that a further call of the House be dispensed with.

Which motion prevailed.

The question being,

“Shall the bill pass, notwithstanding the objections of the Governor?”

Those who voted in the affirmative were,

Messrs. Beard, Butler, Cole, Defrees, Elder, Hill, Leviston, Mickle. O'Haver, Orr, Reed, Rush, Russell, Stewart, Stone, Summers, Thom, Tinbrook, Wells, and Wright—20.

Those who voted in the negative were,

Messrs. Allen, Alley, Athon, Barker, Bird, Bowen, Brown of R., Brown of S., Burnet, Byers, Caldwell, Campbell, Carnahan of P., Chandler, Cleaver, Conner, Cotton, Cravens, Delavan, Dodd, Dougherty of B., Dougherty of E., Edwards, Ellis, Essex, Farnesly, Gentry, Gessie, Goodwin, Graves, Harney, Hart, Harvey, Hicks, Hillis, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Landiss, Lane, Lank, May, Menaugh, Miller of M. and F., Miller of O., Millikin, Morrison, Niblack, Prather, Richardson, Robinson of D., Ross, Salter, Shelby, Shepard, Sherrod, Spencer, Stoops, Warriner, Weaver, Weir, Wilson, Withers, Whinery, Yocum, and Mr. Speaker—69.

So the bill did not pass.

On motion by Mr. Burnet,

The order of business was suspended.

Mr. Burnet introduced

No. 457. A bill to incorporate the Otter Creek and Raccoon Plank Road Company;

Which was read a first and second times, the rule being suspended therefor, and

Referred to a select committee, consisting of

Messrs. Burnet, Johnson, and Tinbrook.

On motion by Mr. Carnahan of F.,

The order of business was suspended.

Mr. Carnahan introduced

No. 458. A bill to amend an act entitled "an act to incorporate the Attica and Warren County Bridge Company," approved February 16th, 1848;

Which was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Robinson of Decatur moved to suspend the order of business, Which motion did not prevail.

On motion by Mr. Ross,

The order of business was suspended.

Mr. Ross introduced the following resolution :

Resolved, That the House will, the Senate concurring therein, go into the election of a president judge of the 13th judicial circuit, on

to-morrow, Friday, at 10 o'clock, A. M., and also the superintendent of the Northern Division of the Central Canal.

Mr. Prather moved to amend by inserting "half past 3 o'clock on to-day."

Which motion did not prevail.

The question then being on the adoption of the resolution,
Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Reed moved to suspend the order of business.

Which motion did not prevail.

On motion by Mr. Weir,

Leave was granted to withdraw from the files certain petitions from the citizens of the county of Sullivan.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have disagreed to the amendment of the House to the resolution of the Senate fixing the adjournment of the present General Assembly, on Wednesday, the 16th inst.

Mr. Orr moved that the House recede from its amendment to the resolution fixing the time for adjournment.

Which motion did not prevail.

Mr. Chandler moved that the House insist on its amendment to the resolution of the Senate fixing the time for adjournment.

Which motion prevailed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions thereof :

No. 140. An act to carry out the obvious meaning and intent of the contract entered into between the State of Indiana and her bondholders ;

No. 156. An act to distribute a surplus road tax in Jefferson county ;

No. 184. An act to incorporate the trustees of the Indianapolis Collegiate Institute ;

No. 185. An act relative to lands mortgaged and forfeited to the State of Indiana ;

No. 201. An act for the benefit of John Greene and T. T. Crittenden ;

No. 206. An act to regulate the retailing of spirituous liquors in Tippecanoe county;

No. 207. An act to amend section 65, of chapter 54, of the Revised Statutes of 1843, as far as relates to the county of Tippecanoe;

No. 209. An act to provide for an extension of the time of holding the terms of the Marion probate court;

No. 210. An act to vacate certain streets and alleys in Jeffersonville;

No. 221. An act to publish and declare in force the provisions of an act entitled "an act to increase and extend the benefits of common schools";

No. 223. An act directing the Secretary of State to make a patent to James Hensley, for certain Wabash and Erie Canal lands;

No. 236. An act changing the time of holding the probate court of Allen county;

No. 237. An act regulating the jurisdiction of justices of the peace in the county of Henry;

No. 243. An act to correct a mistake in the act relative to plank roads;

No. 247. An act to amend an act entitled "an act to incorporate the city of New Albany, and to repeal all laws in force incorporating the town of New Albany," approved February 14, 1839, and of the various acts amendatory thereto;

No. 249. An act to incorporate the Lagro and North Manchester Plank Road Company;

No. 287. An act incorporating the Crawfordsville and Terre Haute Plank Road Company;

No. 289. An act to incorporate the Richmond and Liberty Turnpike Company;

No. 290. An act to amend several acts incorporating turnpike roads therein named;

No. 291. An act to incorporate the Jefferson County Historical Society;

No. 307. An act to incorporate the Rushville and Muncietown Rail Road Company;

No. 328. A joint resolution declaratory of the rights of John Stockton, an insane person;

No. 330. An act for the relief of Charles Martin, Daniel Seward, and John Bundy;

No. 331. An act to vacate parts of certain streets and alleys in the town of South Bend, in St. Joseph county;

No. 335. An act for the relief of Israel Bayless;

In all of which the concurrence of the House is respectfully requested.

The House then proceeded to the consideration of Senate bills contained in the foregoing message :

No. 140. A bill to carry out the obvious meaning and intent of the contract entered into between the State of Indiana and the bondholders ;

Was read a first time.

Mr. Cole moved to suspend the rule and read the bill a second time ;

Which motion did not prevail.

The bill then passed to a second reading.

No. 156. A bill to distribute a surplus road tax in Jefferson county ;

No. 184. A bill to incorporate the Trustees of the Indianapolis Collegiate Institute ;

No. 185. A bill relative to lands mortgaged and forfeited to the State of Indiana ,

Were severally read a first time and passed to a second reading.

No. 201. A bill for the benefit of John Green and T. T. Crittenden ;

Was read a first time.

On motion by Mr. Hillis,

The rule was suspended, and the bill read a second time, and Referred to the committee on claims.

No. 206. A bill to regulate the retailing of spirituous liquors in Tippecanoe county ;

Was read a first time.

On motion by Mr. Shelby,

The rule was suspended, the bill read a second time and ordered to a third reading.

No. 207. A bill to amend section 65, of chapter 54, of the revised statutes of 1843, so far as relates to the county of Tippecanoe ;

Was read a first time and passed to a second reading.

No. 209. A bill to provide for an extension of the time of holding the terms of the Marion probate court ;

Was read a first time.

On motion by Mr. Hunter,

The rule was suspended, the bill read a second time, and ordered to a third reading.

No. 210. A bill to vacate certain streets and alleys in Jeffersonville ;

No. 221. A bill to publish and declare in force, the provisions of an act entitled, "An act to increase and extend the benefits of common schools ;"

No. 223. A bill directing the Secretary of State to make a patent to James Hensley for certain Wabash and Erie Canal lands ;

No. 236. A bill changing the time of holding the Probate Court of Allen county ;

No. 237. A bill regulating the jurisdiction of justices of the peace, in the county of Henry ;

No. 243. A bill to correct a mistake in the act relative to Plank Roads ;

No. 247. A bill to amend an act entitled, "An act to incorporate the city of New Albany, and to repeal all laws in force, incorporating the town of New Albany," approved February 14th, 1839, and of the various acts thereto;

No. 249. A bill to incorporate the Lagro and North Manchester Plank Road Company;

No. 287. A bill incorporating the Crawfordsville and Terre Haute Plank Road Company;

No. 289. A bill to incorporate the Richmond and Liberty Turnpike Company;

No. 290. A bill to amend several acts incorporating Turnpike Roads therein named;

No. 291. A bill to incorporate the Jefferson County Historical Society;

No. 307. A bill to incorporate the Rushville and Muncietown Rail Road Company;

Were each read a first time and passed to a second reading.

No. 328. A joint resolution declaratory of the rights of John Stockton, an insane person;

Was read a first time.

On motion by Mr. Shelby,

The rule was suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 330. A bill for the relief of Charles Martin, Daniel Seward, and John Bundy;

Was read a first time and passed to a second reading.

No. 331. A bill to vacate parts of certain streets and alleys in the town of South Bend, in St. Joseph county;

Was read a first time.

On motion by Mr. Whinery,

The rule was suspended and the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 335. A bill for the relief Israel Bayless;

Was read a first time.

On motion by Mr. Graves,

The rule was suspended, and the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate have passed the following engrossed bill of the House, with sundry amendments :

No. 390. An act to incorporate the Covington Draw Bridge Company ;

In which amendment the concurrence of the House is respectfully requested.

On motion by Mr. Carnahan of Fountain,
The amendment of the Senate to the bill contained in the foregoing message was concurred in.

Ordered, That the Clerk inform the Senate thereof.

HOUSE BILLS ON THEIR SECOND READING.

No. 243. A bill in relation to Grand Jurors ;

Mr. Hillis moved to lay the bill on the table.

Which motion did not prevail.

On motion by Mr. Hillis,

The third judicial circuit was excepted from the provisions of the bill.

On motion by Mr. Wilson,

The county of Harrison was excepted.

On motion by Mr. Dougherty of Boone,

The county of Boone was excepted.

On motion by Mr. Johnson,

The county of Parke was excepted.

On motion by Mr. Brown of Randolph,

The county of Randolph was excepted.

On motion by Mr. Delavan,

The bill was laid on the table.

No. 59. A bill authorizing an additional number of copies of the Revised Statutes of 1843, to be distributed to the county of Miami ;

The question being on the adoption of the following amendment :

"Twelve copies to the county of Adams."

Was decided in the affirmative.

Mr. Chandler moved to amend the bill by inserting :

"Twelve copies to the county of Warren."

Which motion did not prevail.

Mr. Connor moved to amend by inserting in the proper place, the words :

"Provided there is a surplus on hand"

Which motion prevailed.

Mr. Wilson moved to strike out "Miami."

Which motion did not prevail.

The bill was ordered to be engrossed

On motion by Mr. Cole,
The rule was suspended, the bill read a third time and passed.

On motion by Mr. Mickle,
"Adams county," was added to the title.

Ordered, That the Clerk inform the Senate thereof.

No. 97. A bill providing for the taxation of all lands that may have been entered since the 26th of January, 1847, or that may hereafter be sold ;

Was read a second time.

Mr. Cole moved to indefinitely postpone the bill.

Mr. Harney moved to lay the bill on the table ;

Which motion did not prevail.

The question then being on the motion to indefinitely postpone ;

The ayes and noes being demanded by Messrs. Cole and Cotton :

Those who voted in the affirmative were,

Messrs. Allen, Athon, Barker, Beard, Bird, Bowen, Brown of Randolph, Burnet, Butler, Byers, Campbell, Carnahan of Fountain, Chandler, Cleaver, Cole, Cotton, Defrees, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Ellis, Farnesly, Gentry, Gessie, Graves, Hart, Hicks, Hill, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Knowlton, Landiss, Lank, Leviston, May, Miller of Marshall and Fulton, Miller of Owen, Millikin, Morrison, Murray, Niblack, O'Haver, O'Neal, Orr, Prather, Reed, Richardson, Robinson of Laporte, Ross, Rush, Russell, Salter, Shelby, Shepard, Sherrod, Spencer, Stewart, Stone, Stoops, Summers, Thom, Thomas, Tinbrook, Warriner, Weaver, Wells, Wilson, Withers, Whinery, Wright, and Yocum—79.

Those who voted in the negative were,

Messrs. Alley, Caldwell, Carnahan of Posey, Connor, Cravens, Goodwin, Harney, Lane, Menaugh, Mickle, Watkins, and Mr. Speaker—12.

So the bill was indefinitely postponed.

Mr. Wilson moved to reconsider the vote ;

Which motion did not prevail.

No. 244. A joint resolution relative to compiling and publishing road laws ;

Was read a second time.

Mr. Graves moved to amend the joint resolution by adding the following section :

Sec. —. "That it is hereby made the duty of the boards of commissioners of the several counties which have special road laws, to cause the same, with so much of the general laws upon the sub-

ject as may be in force in any such county, to be printed at the expense of the county ordering the same; and that the same be distributed by the proper county auditors to the supervisors of such counties."

On motion by Mr. Cotton,
The bill and pending amendment were laid on the table.

On motion by Mr. Murray,
The order of business was suspended.

Mr. Murray offered the following preamble and resolution :

WHEREAS, It is represented that the individual members of the different companies of volunteers from this State, in the war with Mexico, paid out of their own means the expenses of transportation from home to the rendezvous at New Albany, which was paid over by the captains of companies to Governor Whitcomb :
AND WHEREAS, It is further represented that Congress has since authorized the refunding of said sums, which has not been paid to the volunteers; therefore,

Resolved, That a select committee of five be appointed to investigate the subject, and report their action to this House, with such recommendations as they thing proper.

Mr. Cotton moved to strike out "a select committee of five be appointed to," and insert "the committee on military affairs;"

Which motion prevailed.

The resolution as amended was adopted.

No. 245. A bill to amend an act entitled "An act to incorporate the town of Franklin, Johnson county," passed February 15th, 1838;
Was read a second time.

On motion by Mr. Hicks,

The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 250. A bill to change the name of Mary Bell Niel to Mary Bell Noble;

Was read a second time.

On motion by Mr. Thomas,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 251. A joint resolution on the subject of the public lands in the State of Indiana;

No. 254. A bill to locate a State road in the counties of Sullivan, Clay, Owen, and Hendricks;

Were each read a second time and ordered to be engrossed.

No. 255. A bill defining the jurisdiction of justices of the peace in Marion and Boone counties, and amendatory of an act entitled

"An act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 16th, 1849.

Was read a second time.

Mr. Dougherty of Boone moved to amend as follows :

Amend by inserting after the word "act," in the second line of the second section, the following :

If the prosecuting attorney shall have prosecuted such case, or procured the same to be done.

Strike out the fourth section, and insert as follows :

Section 4. This act shall extend to the counties of Marion and Boone only, and the act to which this is an amendment shall, and hereby is, extended to the county of Boone, subject to the provisions, restrictions, and modifications of this act : *Provided*, That nothing in this act, or the act to which this is an amendment, shall be so construed as to affect, or be applicable to any indictment, suit, plea, or plaint, begun or pending in the Boone circuit court, or any other court of said county, at the time of the passage of this act, but the same shall be prosecuted to final judgment in the same manner, and subject to the same rules, laws, and regulations, in all respects, as though this act had never been passed.

Section 5. This act shall take effect and be in force from and after its passage.

Which amendments were adopted.

On motion by Mr. Dougherty of Boone,

The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 256. A bill for the relief of widows whose husbands die intestate, without any heirs lineally descended from them ;

Was read a second time and ordered to be engrossed.

No. 250. A bill to amend section 11, chapter 56, of the revised statutes ;

Was read a second time.

On motion by Mr. Athon,

The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 260. A bill to provide for the registration of Marriages, Births, and Deaths ;

Was read a second time.

Mr. Defrees moved to refer it to a select committee of five ;

Which motion did not prevail.

Mr. Mickle moved to refer it to the committee on benevolent and scientific institutions ;

Which motion did not prevail.

On motion by Mr. Robinson of Decatur,

The bill was laid upon the table.

Mr. Dodd moved to suspend the order of business to introduce a resolution ;

Which motion did not prevail.

No. 261. A bill to vacate a certain alley in the town of West Harrisonville, and a certain street in the town of Mount Pleasant, in the county of Martin ;

Was read a second time.

On motion by Mr. Niblack,

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 262. A bill to amend the laws subjecting real and personal property to execution ;

Was read a second time.

Mr. May moved to amend as follows :

Amend by adding the following—

Sec. —. In all cases where any officer holding an execution shall levy the same upon either real or personal estate designated by the execution defendant as the property from which the amount of the execution shall be made, it shall be the duty of such officer to sell the property so designated to the highest bidder.

Mr. Sherrod moved to lay the bill and pending amendments upon the table ;

Which motion prevailed.

Mr. Sherrod moved to adjourn ;

Which motion did not prevail.

Mr. Carnahan of Fountain moved to take up the bill relative to the boundary lines of Fountain and Warren counties :

No. 428. A bill to change the boundary lines of Fountain and Warren counties ;

Which was read a second time.

Mr. Chandler moved to refer the bill to the committee on the judiciary ;

Which motion did not prevail.

Mr. Carnahan of Fountain moved to suspend the rule and read the bill a third time.

Mr. Hill moved to adjourn ;

Which motion prevailed.

FRIDAY MORNING, 9 O'CLOCK, JANUARY 11th, 1850.

The House met.

Mr. Wright moved to dispense with reading the journal ;
Which motion did not prevail.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions of the House, without amendment :

No. 60. An act to authorize the voters of Daviess county to vote in Washington township in said county ;

No. 94. An act to reduce the fees and emoluments of the auditor and treasurer of Steuben county ;

No. 122. An act for the relief of Willian Nothem ;

No. 282. A joint resolution providing for the purchase of land for the Deaf and Dumb Asylum ;

No. 258. An act to incorporate the Western Plank Road Company ;

Part of the journal having been read,

On motion by Mr. Cravens,

The further reading of the journal was dispensed with.

PETITIONS, &C., PRESENTED.

By Mr. Athon,

The petition of sundry citizens of New Providence, in Clark county, on the subject of a road ;

Which,

On motion,

Was referred to a select committee consisting of

Messrs. Athon, Caldwell, Wells, Defrees, and Dougherty of Elkhart.

By Mr. Alley,

The petition of sundry citizens of Hancock county, praying for the establishment of a court of common pleas ;

Which,

On motion,

Was referred to the select committee on the same subject.

By Mr. Alley,

The remonstrance of sundry citizens of Hancock county against the establishment of a court of common pleas ;

Which,

On motion.

Was referred to the select committee on the same subject.

Mr. Athon moved to take from the table House bill No. 261, and place the same on the files of the House ;

Which motion did not prevail.

Mr. Chandler moved to take from the table House bill No. 241, and place the same on the files of the House ;

Which motion did not prevail.

REPORTS FROM COMMITTEES.

Mr. Mickle, chairman of the committee on ways and means, made the following report :

MR. SPEAKER :

The committee of ways and means have, in the discharge of their duty, examined the offices of the Treasurer and Auditor of State, and ask leave to make the following report :

It is just that the committee should state that their labors in the examination of those offices have been rendered less arduous, and the accomplishment of their duties facilitated by the gentlemanly deportment and prompt assistance given by the heads of those departments. It is also proper to state that the neat and correct manner in which the books are kept, and also the strict fidelity in the discharge of the official duties of those functionaries, is not only honorable to themselves, but creditable to the State. The examination by the committee has been vigilant and thorough, with an eye to the interest of the State, and that the present incumbents as well as their successors may be placed right.

The committee have counted and destroyed the following amounts of various kinds of scrip which had been redeemed and cancelled at the State Treasury, viz :

Of six per cent. Treasury Notes,	-	-	-	-	\$86,000 00
Interest allowed thereon,	-	-	-	-	43,067 35
					<hr/>
					\$129,067 35
Of five per. cent. Bank Scrip,	-	-	-	-	46,410 00
Interest allowed thereon,	-	-	-	-	16,150 68
					<hr/>
					\$62,560 68
Of one-quarter per cent. Treasury Notes.	-	-	-	-	\$12,165 00
Interest allowed thereon,	-	-	-	-	202 75
					<hr/>
					\$12,367 75

Of Wabash and Erie Canal Scrip, east of Tippecanoe, - - - - -	\$25,453 01
Interest allowed thereon, - - - - -	6,056 70
	<hr/>
	\$31,509 71

Of Wabash and Erie Canal Scrip, west of Tippecanoe, - - - - -	\$15,845 00
Of coupons, three, \$25 each, - - - - -	75 00

Making in all, the sum of \$251,425 49, principal and interest, which may be more fully understood by reference to a detailed statement hereto appended, marked (A).

The committee find, after examination of the condition of the treasury, that there was on hand on the 1st day of November, 1849, the sum of \$694,096 09. This large apparent balance in favor of the treasury might lead to erroneous impressions as to the true condition of the treasury, without the following explanation, as given by the Auditor: "A large portion of it [the balance referred to] consists of treasury notes and Wabash and Erie Canal Scrip, which have been redeemed and ready for cancellation; and over \$200,000 is a balance to the credit of the Trustees of the Wabash and Erie Canal, whose accounts the law requires to be kept in the office, [Auditor's office] although no money is ever received or paid out here. The available means actually on hand is very small." There has been received in the treasury since the 31st day of October, 1849, to the 1st day of January, 1850, the sum of \$51,825 04, from which deduct expenditures for the same time, \$19,351 80, leaves of the receipts since the 31st of October, 1849, to the 1st day of January, 1850, a balance of \$32,473 24, which makes the total amount in the treasury, on the 1st day of January instant, \$284,298 28. The items of receipts and expenditures from which said balances were struck, will be found appended hereto and marked (B) and (C).

The reports of the State officers show satisfactorily that the State has promptly met her liabilities, and that her increasing resources will be, and is competent, to discharge all the requirements of prudent legislation.

In the revenue bill, which has already been reported to the House, the committee adopted the same rate of taxation for State purposes, as last year, with the addition of three and a half cents on the hundred dollars valuation of taxable property, to meet the expenses of the Convention to revise and amend the Constitution; which additional three and a half cents on \$134,000,000 of taxable property, will amount to \$46,900. It is estimated that the delinquencies will reduce the amount to near \$40,000, which is the anticipated cost of the Convention.

The assessment for the Deaf and Dumb and Lunatic Asylums, and for the education of the Blind, is the same as last year. It is with much pleasure and pride that the committee can, in justice,

bear testimony to the successful operation of those institutions, and that the deplorable condition of the many inmates is greatly ameliorated and improved. It is a source of pleasure to every Indianian, that among the many improvements, and the rapid advance of the State to an enviable rivalry with her sisters of the republic, stands conspicuous her benevolent care of her afflicted citizens.

All of which is respectfully submitted.

S. S. MICKLE,
S. A. RUSSELL,
W. J. ROBINSON,
JAMES ELDER,
A. A. MORRISON,
SAMUEL T. WELLS,
JAMES K. O'HAYER.

STATEMENT A.

The Committee of Ways and Means have cancelled of the funds in the office of the State Treasurer, during the session of the General Assembly, beginning in December, 1849, the following amounts and descriptions, to-wit:

Memorandum of Six Per Cent. Treasury Notes.

No. Buns- ale.	Date.	Denom- ination.	Interest on each.	No. of Bills.	Principal.	Interest.	Total.
1	April 20, 1840,	\$5	\$2 56	1000	5000	2560 00	7560 00
2	April 20, 1840,	5	2 56	1000	5000	2560 00	7560 00
3	April 20, 1840,	5	2 56	1000	5000	2560 00	7560 00
4	April 20, 1840,	5	2 56	1000	5000	2560 00	7560 00
5	April 20, 1840,	5	2 56	1000	5000	2560 00	7560 00
6	April 20, 1840,	5	2 56	960	4800	2457 60	7257 60
7	September 20, 1840,	5	2 43	1275	6375	3098 25	9473 25
7	February 19, 1841,	5	2 32	237	1185	549 84	1734 84
7	April 1, 1841,	5	2 28	78	390	177 84	567 84
7	May 1, 1841,	5	2 25	182	910	409 50	1319 50
7	June 1, 1841,	5	2 23	97	485	216 31	701 31
7	July 1, 1841,	5	2 20	711	3555	1564 20	5119 20
7	September 1, 1841,	5	2 15	185	925	397 75	1322 75
7	October 1, 1841	5	2 12	99	495	209 88	704 88
7	November 1, 1841,	5	2 10	122	610	256 20	866 20
7	December 1, 1841,	5	2 07	154	770	318 78	1088 78

7	January 1, 1842, -	-	-	-	5	2 05	160	800	328 00	1128 00
7	April 20, 1840, -	-	-	-	50	25 58	774	38,700	19,798 92	58,498 92
7	September 20, 1840, -	-	-	-	50	24 33	18	900	437 94	1337 94
7	February 20, 1840, -	-	-	-	50	23 17	2	100	46 34	146 34
									\$86,000	\$43,067 35
									\$129,067 35	

Memorandum of Quarter of One Per Cent. Treasury Notes.

<i>Date</i>	<i>No. Pack.</i>	<i>No. of bills.</i>	<i>Total No. of Bills.</i>	<i>Interest 8½ cts. each.</i>	<i>Principal.</i>	<i>Interest.</i>	<i>Total.</i>
February 2, 1842, -	-	-	-	-	-	-	-
February 2, 1842, -	1	1000	-	-	-	-	-
February 2, 1842, -	2	1433	2433	-	\$12,165	\$202 75	\$12,367 75

Memorandum of Wabash and Erie Canal Scrip East.

<i>No. of Pack.</i>	<i>Denom-ination.</i>	<i>Interest each.</i>	<i>No. of Bills.</i>	<i>Principal.</i>	<i>Interest.</i>	<i>Total</i>
1	5 00	1,22	1000	5000 00	1220 00	6220 00
2	5 00	1,22	1000	5000 00	1220 00	6220 00
3	5 00	1,22	1000	5000 00	1220 00	6220 00
4	5 00	1,22	1000	5000 00	1220 00	6220 00
5	5 00	1,23	563	2815 00	692 49	3507 49
6	10 00	2,60	54	540 00	140 40	680 40
6	38 61	5,01	1	38 61	5 01	43 62
6	9 40	2,60	1	9 40	2 60	12 00
7	5 00	82	410	2050 00	362 20	2386 20
				25,453 01	6,056 70	31,509 71

Wabash and Erie Canal Scrip West.

<i>No. of Package.</i>	<i>Number of Bills.</i>	<i>Principal.</i>
1	1000	5000
2	1000	5000
3	1169	5845
		<u>\$15,845</u>

Memorandum of Bank Scrip, 5 Per Cent.

<i>No. of Pack.</i>	<i>Interest on each bill.</i>	<i>No. of Bills.</i>	<i>Principal.</i>	<i>Interest.</i>	<i>Total.</i>
1	1,74	1000	5000	1740 00	6740 00
2	1,74	1000	5000	1740 00	6740 00
3	1,74	1000	5000	1740 00	6740 00
4	1,74	1000	5000	1740 00	6740 00
5	1,74	1000	5000	1740 00	6740 00
6	1,74	1000	5000	1740 00	6740 00
7	1,74	1000	5000	1740 00	6740 00
8	1,74	1000	5000	1740 00	6740 00
9	1,74	1282	6410	2230 68	8640 68
			\$46,410	\$16,150 68	\$62,560 68

STATEMENT B.

There was remaining in the Treasury at the close of the last fiscal year, ending October 31, 1848, the sum of - - - - - \$694,096 09

During the financial year, ending October 31, 1849, the following amounts were received, to-wit :

On account of Revenue of 1847, the sum of	-	-	1,456 10
On account of Revenue of 1848, the sum of	-	-	402,797 77
On account of Delinquent Revenue of 1847,	-	-	39,188 59
On account of Delinquent Revenue of 1848,	-	-	207 76
On account of Revised Statutes,	-	-	188 85
On account of Estates without heirs,	-	-	119 00
On account of Common School Fund (five per cent. scrip,) derived from Bank profits,	-	-	58,489 13
On account of Bank Tax Fund, derived from the several branches of the State Bank,	-	-	2,845 00
On account of incidental receipts,	-	-	3 00
On account of Loans of Treasury Fund refunded,	-	-	755 80
On account of interest on Loans of Treasury Fund,	-	-	71 42
On account of damages on sales of lands mortgaged to Treasury Fund,	-	-	22 50

On account of costs of advertising sales of lands mortgaged to Treasury Fund, - - - -	2 00
On account of loans of Congressional Township Fund refunded, - - - - -	660 00
On account of interest on loans of Congressional Township Fund, - - - - -	96 66
On account of Congressional Township Fund, from Trustees of town. 10, range 13, Ripley county, -	45 00
On account of University Fund, refunded, - -	4,884 41
On account of interest on loan of University Fund, -	5,221 81
On account of damages on sales of lands mortgaged to University Fund, - - - - -	165 00
On account of costs of advertising University Fund refunded, - - - - -	46 00
On account of sales of University lands in Gibson and Monroe counties, - - - - -	1,290 25
On account of interest on sales of University lands, -	610 44
On account of loans of Bank Tax Fund, refunded, -	1,234 32
On account of interest on loans of Bank Tax Fund, -	740 67
On account of damages on sales of lands mortgaged to Bank Tax Fund, - - - - -	41 78
On account of cost of advertising Bank Tax Fund, refunded, - - - - -	12 00
On account of sales of Saline lands in Orange and Washington counties, - - - - -	826 74
On account of interest on sales of Saline Lands, -	414 32
On account of loans of Saline Fund, refunded, -	2,225 00
On account of interest on loans of Saline Fund, -	1,308 49
On account of damages on sales of lands mortgaged to the Saline Fund, - - - - -	23 25
On account of cost of advertising Saline Fund, refunded, - - - - -	8 00
On account of loans of Surplus Revenue Fund, refunded, - - - - -	150 00
On account of interest on loans of Surplus Revenue Fund, - - - - -	192 02
On account of Dividends on Saline Fund Bank stock, -	1,994 28
On account of Dividends on Bank Tax Fund Bank stock, - - - - -	320 75
On account of rents from State Prison, - - -	24,620 14
On account of sales of stock in Madison and Indianapolis Railroad Company, - - - - -	10,792 00
On account of Dividends on State's stock in Madison and Indianapolis Railroad Company, - - -	3,097 00
On account of sales of lots in the town of Indianapolis, - - - - -	400 00
On account of interest on sales of lots in Indianapolis, - - - - -	161 25

On account of interest on six per cent. treasury notes refunded, - - - - -	10 00
On account of Lawrenceburgh and Indianapolis Rail Road company, - - - - -	795 56
On account of water rents on Northern Division of Central Canal, - - - - -	522 95
On account of tolls on New Albany and Vincennes Road, - - - - -	10,516 01
On account of Tippecanoe Battle Ground Monument, - - - - -	1 69
On account of tolls and water rents on Wabash and Erie Canal, - - - - -	149,232 76
On account of sales of lands E. and W. of Tippecanoe by trustees, - - - - -	14,747 75
On account of Wabash and Erie Canal lands in Vincennes district, - - - - -	77,328 02
On account of interest on deposits in bank by trustees, - - - - -	7,070 07
On account of Wabash and Erie Canal scrip west by trustees, - - - - -	11,600 00
On account of Wabash and Erie Canal scrip east by trustees, - - - - -	23,983 01
On account of interest on Wabash and Erie Canal scrip east by trustees, - - - - -	5,774 65
On account of premium and exchange by trustees, - - - - -	2,132 38
On account of subscription by bondholders, - - - - -	800 00
<hr/>	
Total receipts from November 1st, 1848, to October 31st, 1849, (including balance on hand November 1st, 1848,) - - - - -	<u>\$1,566,339 44</u>

EXPENDITURES.—(C.)

There were audited during the financial year ending October 31 1849, the following sums, viz :

On account of probate judges, - - - - -	\$5,066 00
On account of State prison, - - - - -	2,475 04
On account of new State prison, - - - - -	25,318 14
On account of salaries of judges, - - - - -	16,662 67
On account of State House, - - - - -	329 73
On account of General Assembly, - - - - -	28,465 86
On account of special appropriations, - - - - -	1,202 62
On account of public printing and binding, - - - - -	7,471 22
On account of prosecuting attorneys, - - - - -	570 00
On account of Adjutant and Quarter Master General, - - - - -	1,226 74
On account of transporting public arms, - - - - -	217 60
On account of salaries of executive officers, - - - - -	4,496 66

On account of international exchanges, - - -	250 55
On account of State Library, - - - -	751 99
On account of stationery and fuel, - - - -	3,416 36
On account of contingent fund, - - - -	842 12
On account of presidential election, - - -	588 72
On account of Governor's House, - - - -	154 28
On account of distribution of laws and journals of 1849, - - - - -	532 58
On account of revenue of 1839 refunded, - -	28 80
On account of revenue of 1841 refunded, - -	7 84
On account of revenue of 1843 refunded, - -	4 18
On account of revenue of 1844 refunded, - -	21 57
On account of revenue of 1845 refunded, - -	4 71
On account of revenue of 1846 refunded, - -	33 40
On account of revenue of 1847 refunded, - -	77 21
On account of revenue of 1848 refunded, - -	2,548 62
On account of delinquent revenue of 1846 refunded,	92 89
On account of salaries of Professors in State Uni- versity, - - - - -	3,750 00
On account of interest on public debt, - - -	188,344 00
On account of salary of State Agent, - - -	1,000 00
On account of incidental expenses of State Agent, including interest on bank loans and exchange, -	11,602 67
On account of stock in Madison and Indianapolis Railroad, - - - - -	5,363 35
On account of six per cent. treasury notes, - -	62,740 00
On account of interest on six per cent. treasury notes,	27,661 66
On account of quarter per cent. treasury notes, -	31,565 00
On account of interest on quarter per cent. treasury notes, - - - - -	369 79
On account of five per cent. treasury notes, - -	56,350 00
On account interest on five per cent. treasury notes,	16,679 66
On account of Hospital for the Insane, - - -	20,321 00
On account of education of the Blind, - - -	15,146 89
On account of Deaf and Dumb Asylum, - - -	26,370 00
On account of three per cent fund, - - - -	193 12
On account of expenses of treasury notes, - -	279 00
On account of saline fund distributed, - - -	5,005 62
On account of sales of saline lands refunded, - -	252 50
On account of interest on saline fund refunded, -	6 75
On account of saline fund bank stock, - - -	200 00
On account of expenses of saline fund, - - -	20 32
On account of loans of University fund, - - -	4,850 00
On account of expenses of University fund, - -	128 75
On account of bank tax fund distributed, - -	4,486 77
On account of bank tax fund from banks refunded, -	295 38
On account of surplus revenue distributed, - -	1,113 05
On account of loans of congressional township fund,	700 00

On account of interest on congressional township fund distributed, - - - - -	132 06
On account of repairs of Central Canal, - - -	2,060 05
On account of incidental expenses of Central Canal, -	295 50
On account of construction of New Albany Road, -	451 85
On account of repairs of New Albany Road, -	6,854 68
On account of damages of New Albany Road, -	10 00
On account of expenses of New Albany Road, -	3,199 48
On account of Wabash and Erie Canal Scrip, west, cancelled, - - - - -	36,985 00
On account of expenses of Wabash and Erie Canal, west, - - - - -	63 00
On account of Wabash and Erie Canal Scrip, east, cancelled, - - - - -	41,667 06
On account of interest on Wabash and Erie Canal Scrip, east, - - - - -	6,838 26
On account of expenses (incidental) of Wabash and Erie Canal Scrip, east, - - - - -	72 00
On account of expenses of Land Office in Vincennes Land District, by Trustees, - - - - -	969 16
On account of expenses of Land Office for lands east and west of Tippecanoe at Logansport, by Trustees, -	3,767 32
On account of ordinary repairs of Wabash and Erie Canal, by Trustees, - - - - -	30,597 94
On account of extraordinary repairs of Wabash and Erie Canal, by Trustees, - - - - -	9,311 80
On account of expenses of survey and locating Wabash and Erie Canal, by Trustees, - - - - -	13,581 84
On account of construction of Wabash and Erie Canal, between Coal Creek and Terre Haute, by Trustees, - - - - -	247,082 22
On account of construction of Wabash and Erie Canal, between Terre Haute and Point Commerce, by Trustees, - - - - -	103,982 36
On account of construction of Wabash and Erie Canal, between Point Commerce and Newberry, by Trustees, - - - - -	2,443 75
On account of construction of Wabash and Erie Canal, on Patoka summit, by Trustees, - - -	3,969 57
On account of expense of superintending Wabash and Erie Canal, by trustees, - - - - -	6,585 99
On account of salaries and office expenses of toll collectors of Wabash and Erie Canal, by Trustees, -	4,221 35
On account of interest to subscribers of \$800,000, to Wabash and Erie Canal, by Trustees, - - -	9,441 94
On account of repairs to Wabash and Erie Canal, above Evansville, by Trustees, - - - - -	1,536 75
On account of moneys refunded to purchasers of Wabash and Erie Canal lands, by Trustees, - - -	489 03

On account of general expenses of Wabash and Erie Canal, by Trustees, - - - - -	13,134 00
Whole amount audited from Nov. 1, 1848, to October 31, 1849, inclusive, - - - - -	<u>\$1,137,398 25</u>

Receipts from November 1, 1849, to January 1, 1850.

On account of University Fund interest, - - -	\$727 40
On account of interest on loans of Saline Fund, -	356 07
On account of interest on loans of Congressional Township Funded refunded, - - - -	31 50
On account of interest on loans of Surplus Revenue Fund, - - - - -	210 39
On account of loans of Surplus Revenue Fund, refunded, - - - - -	250 00
On account of loans of Saline Fund, refunded, -	100 00
On account of Revenue of 1849, - - - -	33,529 79
On account of Delinquent Revenue of 1846, - -	557 61
On account of Delinquent Revenue of 1847, - -	100 00
On account of Incidental Receipts, - - - -	20 00
On account of Interest on loans of Bank Tax Fund, -	89 50
On account of loans of Bank Tax Fund, refunded, -	125 00
On account of loans of College Fund, refunded, -	773 20
On account of water rents on N. D. Central Canal, -	323 61
On account of common school fund, derived from Bank profits, - - - - -	13,636 80
On account of sales of University lands in Gibson and Monroe counties, - - - - -	67 20
On account of Interest on sales of University lands, -	78 18
On account of estates without heirs, - - -	138 15
On account of sale of old State Prison, - - -	709 64
Total, - - - - -	<u><u>\$51,825 04</u></u>

Expenditures from November 1st, 1849, to January 1, 1850.

On account of the Judiciary, - - - - -	\$875 00
On account of State Prison, - - - - -	300 75
On account of Probate Judges, - - - - -	60 00
On account of Saline Fund distributed, - - -	92 33
On account of Bank Tax Fund distributed, - -	71 81
On account of repairs of Central Canal, - - -	298 11
On account of Incidental expenses of Central Canal, -	274 50

On account of construction of Jeffersonville and Craw-	
fordsville Road, - - - - -	16,000 00
On account of loans of University Fund, - - -	350 00
On account of expenses of University Fund, - -	252 25
On account of Adjutant and Quarter Master Generals,	25 00
On account of Specific Appropriations, - - -	447 24
On account of Estates without heirs, - - -	292 81
On account of General Assembly, - - - - -	12 00
<hr/>	
Total amount audited from the 31st day of October,	
1849, to the 1st day of January, 1850, - - -	\$19,351 80
Balance in the Treasury October 31st, 1849, -	\$428,941 19
Add receipts from November 1st, 1849, to January 1st,	
1850, - - - - -	51,825 04
<hr/>	
Total, - - - - -	\$480,766 23
Deduct expenditures from November 1st, 1849, to Jan-	
uary 1st, 1850, - - - - -	19,351 80
<hr/>	
Balance in the Treasury January 1st, 1850, provided	
all warrants to that date have been paid, - - -	<u>\$461,414 43</u>

Mr. Withers moved to lay the Report on the table, and order 100 copies to be printed.

W^r. Whinery moved to order 200 copies to be printed ;

Which motion was accepted by Mr. Withers.

The question then recurring on laying on the table and printing 200 copies,

Was decided in the affirmative,

And it was so ordered by the House.

Mr. Mickle, chairman of the committee of ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means, to whom was referred certain Resolutions in relation to the letting out of the State Printing to the lowest bidder, also a communication from John R. Elder, proposing to do the public printing at a reduction of 15 per cent. below the rates allowed by law, have, according to order, had the subject under consideration. Your committee believe that it is not the policy of the State to look entirely to the *price* of the work, but that such remuneration should be paid as will insure the prompt and correct execution of the same ; and for the purpose of ascertaining what is a fair price, addressed the following circular to N. Bolton, Thomas Dowling, D. Radebaugh, Wm. Millikan, and John D. De-frees, all practical printers, from different parts of the State :

"SIR :

I am directed by the committee of ways and means to request you to state in writing whether, in your opinion, the prices now paid for the public printing are or are not too high, and if too high, in what particular or particulars, and what deduction would make the price proper and fair."

In answer to the foregoing, the following answers were promptly returned :

INDIANAPOLIS, January 7th, 1850.

To the Committee of Ways and Means :

GENTLEMEN :

I am requested by you to state, in writing, whether, in my opinion, the prices now paid for the public printing are, or are not, too high, and if too high, in what particular.

I have but little time to answer, in consequence of other engagements, but having heretofore attentively examined the subject, I am fully of the opinion, that the present law does not allow more than an adequate compensation taken as a whole. Indeed it will be found, that the prices are not equal to those frequently given to mechanics by the State, even under the contract system. To perform the public printing in a creditable manner, a large amount must be expended in materials, many of which are soon worn out. The work has to be performed to suit the convenience of the Legislature, and a large number of workmen have to be employed ; and it has been found by Congress and other legislative bodies, that a printer elected will always be more prompt in the performance of his duty, and being an officer of the Legislature, can be held to a more rigid accountability. I know the prices are not too high, because I aided in fixing them at the present point under peculiar circumstances, when it was my interest to know, not what was a fair compensation, but what was the lowest price at which the printing could be performed at any profit. There is but one principle on which a reduction of price could be thought of or accomplished. Mr. Defrees, by what he calls the "fortune of war," has been superseded as public printer. He has a large quantity of printing materials on hand, which will not hereafter be available. In order to give employment to this investment, he might perform the printing at a small discount until these materials were worn out. But three years ago Mr. Chapman was left in precisely a similar situation, and three years hence the "fortunes of war" may again turn in favor of Mr. Defrees. But these peculiar circumstances, I presume, will not govern the Legislature in fixing the prices of labor, because the principle might apply in many other cases. I myself, under a rule adopted by the present Administration, have been superseded in an office

without much ceremony, the duties of which, for the present, at least, I would perform for fifty per cent. discount, not being at present engaged in more profitable business; but that, under the "fortunes of war," would afford no reason why I should have been continued in office, or that the office should have been farmed out to me at that price.

I have been a journeyman printer in my day, and I am well convinced that their wages must be reduced, to enable the printing to be performed lower than the present, with any fair profit; and I do not believe this democratic Legislature will give countenance to any measure having this operation. Their wages now are considerably short of "two dollars a day and roast beef," and I do not wish them further reduced.

Yours, Respectfully,

NATHANIEL BOLTON.

INDIANAPOLIS, January 7th, 1850.

Dear Sir :

The communication of the Secretary of the committee of ways and means has this moment been received, and I reply without delay. I am asked if, in my opinion, "the prices paid for the public printing is or is not too high, and if too high, in what particular or particulars?" My reply is, I do not think the prices paid, too high, and could give many reasons for that opinion, were it proper to do so under the call made upon me.

I may be allowed to add, however, that as a practical printer, conversant with the present law regulating the public printing, it is my deliberate opinion, that no material reduction could be made in the prices paid, without endangering the pecuniary standing of both the public printer and those employed by him to perform the labor. The past experience on the subject satisfies me that a reduction would only reach those who labor, while any apparent saving would be lost to the State by the adoption of a system of less efficiency than the present.

Since the adoption of the present law in 1840, there has been an evident improvement in the manner of executing the public printing, and this has been a matter of pride to all who take an interest in the progress of our State in the mechanic arts. While our legislation in too many cases tend to extravagance in public expenditures, economy is at all times desirable, but I doubt the policy or justice of reducing the wages of labor below a fair living and remunerative price, or of encouraging a system of underbidding at war with all notions of justice to the employed. I am clearly of opinion that the prices now paid the public printer, are not too high, and that no change could be made without doing injustice to a large

numerous, and highly respectable body of operators, whose wages, will always be regulated by the price for the public printing.

Very respectfully, yours,

THOMAS DOWLING.

S. S. MICKLE, Esq.,

Chairman Committee of Ways and Means.

REPRESENTATIVES HALL, Jan. 8th, 1850.

B. F. WALLACE, Esq.,

Clerk Committee of Ways and Means :

DEAR SIR:—I am requested by the committee of ways and means, through you, to state in writing, whether in my opinion the price now paid for the public printing, is, or is not too high, &c.

In reply sir, you will please inform the committee, by handing them this note, that I have examined the prices now allowed by law for the public printing, and in my opinion, as a printer, the prices for the work are not too high in any particular, and to make them lower, would only reduce the printer to the necessity of executing the work in an indifferent style.

Respectfully,

W. MILLIKAN.

PALMER HOUSE,
Indianapolis, January 7, 1850. }

B. F. WALLACE, Esq.

DEAR SIR:—Your note of this date is received, requesting me to state in writing my opinion of the “prices now paid for the public printing,” whether or not they are too high, “and if too high, what deduction would make the prices proper and fair.” In my opinion the present prices are *none too high* to afford a just remuneration to the printer, but entirely *too low* for the amount of capital to be invested in its speedy execution and workmanlike manner. In several of the States, the prices of the public printing are much higher than they are here, but the work is done in a very superior manner, much more so than any I have seen here. It would, therefore, in my opinion, be both improper and unfair, to make a deduction in any particular whatever, as the State could not be the gainer by it, but would be vastly the loser in the end, because low prices will command none but inferior workmen.

Very respectfully, &c.,

D. RADEBAUGH, Jr.

INDIANAPOLIS, Jan. 8th, 1850.

HON. S. S. MICKLE:

I received your note enquiring in relation to the price paid for public printing.

In reply, in my opinion the prices now fixed by law, are a fair remuneration for the labor and capital employed, and nothing more.

Yours, &c.,

JOHN D. DEFREES.

It also appears by reference to the Journals of the House of the session of 1846-7, pages 348, 349, 350, 351, 352, 354, and 355, that the subject of the public printing, was thoroughly investigated, and the following facts appear to have been elicited, to-wit: That the prices paid in Indiana were very considerably lower than is paid for similar work in other States named, that the laws regulating the printing of the State are so economically framed in every particular, and so carefully guarded against fraud or unfair charges, that practical printers, who have been and are now members of the House, cannot suggest any essential improvement. From these facts (and many more might be given) your committee have come to the conclusion that legislation upon that subject is inexpedient, and recommend that the papers referred to them be laid upon the table, and that the committee be discharged from the further consideration of the subject.

Part of the report being read,

On motion,

The House suspended the further reading.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the resolution of the House fixing this day at 10 o'clock, A. M., for the election of a President Judge for the 13th Judicial Circuit, and immediately thereafter, the election of a Superintendent of the Northern Division of the Central Canal.

On motion by Mr. Dodd,

The order of business was suspended.

On motion by Mr. Dodd,

Resolved, That the Senate be invited to attend in the Hall of the House instantler, to go into the election of President Judge of the 13th circuit, and a Superintendent of the Northern Division of the

Central Canal, and that seats be provided for their accommodation on the right of the Speaker's chair.

The Senate came into the Hall, when both branches of the General Assembly proceeded, in joint convention, by ballot, to the election of President Judge of the 13th judicial circuit, to fill the vacancy occasioned by the resignation of Hon. George H. Dunn, Messrs. Hubbard and Hardin acting as tellers on the part of the Senate, and Messrs. Dodd and Wilson on the part of the House of Representatives.

On counting the votes, it appeared that

William M. McCarty received	-	-	-	83 votes.
Andrew L. Davidson received	-	-	-	45 votes.
John Ryman received	-	-	-	7 votes.
Blank,	-	-	-	4 votes.

William M. McCarty having received a majority of all the votes given, was declared duly elected President Judge of the thirteenth judicial circuit, to fill the vacancy occasioned by the resignation of Hon. George H. Dunn, to serve as such from the date of his election until the close of said unexpired term, which will be on the 20th of January, 1854.

The joint convention then proceeded to the election of a Superintendent of the Northern Division of the Central Canal by a *viva voce* vote.

Those who voted for John Givens were,

Messrs. Adams, Allen, Berry, Brugh, Day, Eddy, English, Evans, Graham, Hardin, James, Kinnard, Lyon, Miller, Millikin, Morrison, Read of C., Sleeth, Walker, and Winstandley, of the Senate, and

Messrs. Allen, Alley, Athon, Barker, Beard, Bird, Bowen, Brown of S., Byers, Caldwell, Campbell, Chandler, Cotton, Cravens, Delavan, Dodd, Dougherty of B., Dougherty of E., Elder, Ellis, Essex, Farnsley, Gentry, Goodwin, Greathouse, Harney, Hart, Harvey, Hicks, Holcomb, Huey, Humphreys, Landiss, Lank, May, Menaugh, Mickle, Niblack, O'Haver, Richardson, Ross, Salter, Shelby, Sherrod, Spencer, Stoops, Watkins, Wells, and Yocum, of the House of Representatives—69.

Those who voted for Robert Earl were,

Messrs. Garver and McCarty, of the Senate, and

Messrs. Burnet, Hunter, and Speaker, of the House of Representatives—5.

Those who voted for Robert Greenfield were,

Messrs. Conduit and Houghton, of the Senate, and
Messrs. Connor and Hillis of the House of Representatives—4.

Those who voted for Asher Cox were,

Messrs. Harvey, Herod, Holloway, Montgomery, Porter, and Walpole, of the Senate, and

Messrs. Carnahan of F., Cole, Defrees, Gessie, Lank, Lane, Leviston, Milliken, Morrison, O'Neal. Prather, Robinson of L., Rush, Stone, and Summers, of the House of Representatives—21.

Mr. Edwards of the House voted for Emerson—1.

Mr. Hill of the House of Representatives voted for Bob Evans—1.

Messrs. Knowlton, Miller of Owen, Whinery, and Wright of the House of Representatives, voted for G. Evans—4.

Messrs. Thom, Thomas, and Tinbrook, of the House of Representatives, voted for Mr. Edwards—3.

Messrs. Wilson and Withers, of the House of Representatives, voted for Doct. Weir—2.

Mr. Weir, of the House of Representatives, voted for Wilson—1.

Mr. Hendricks of the Senate voted for Daggy—1.

John Givens having received a majority of all the votes given, was declared duly elected Superintendent of the Northern Division of the Central Canal, to serve as such for a term of two years from and after the date of his election.

The Senate then retired to their chamber.

REPORTS FROM COMMITTEES.

The House resumed the consideration of the report of the committee of ways and means, on the subject of the public printing.

The question being on concurring in the report,

Was decided in the affirmative.

Mr. Willson, chairman of the committee on canals and internal improvements, made the following report :

MR. SPEAKER :

The committee on canals and internal improvements, to which was referred the report of the Superintendent of the Northern Division of the Central Canal, have directed me to report the same back to the House, and ask that it be laid on the table.

Which report was concurred in.

Mr. Hill moved to suspend the order of business ;

Which motion did not prevail.

Mr. Whinery, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred the petitions of Aaron Miller, Jacob Ritter, and other citizens of St. Joseph county, have instructed me to report the following bill, and recommend its passage :

No. 459. A bill to vacate the village of Mt. Pleasant, in St. Joseph county ;

Was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Brown of Randolph, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the Senate, No. 134, to incorporate the Bowling Green Manufacturing and Navigation Company, have had the same under consideration, and directed me to report the same back to the House, without any amendment, and recommend its passage.

Which bill was ordered to a third reading.

Mr. Miller of M. and F., from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Fulton and Marshall counties, praying a change in a State road therein named, have had the same under consideration, and instructed me to report the following bill, and recommend its passage :

No. 460. A bill to alter and change a State road therein named ;

Which was read a first, second, and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Connor, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to which was referred the petitions of James Cassidy, Jacob Kisner, Stillman J. Adye, and others, citizens of Perry and Spencer counties, have had the same under consideration, and instructed me to report the following bill, and respectfully ask its passage :

No. 461. A bill to declare certain water courses in the counties of Perry and Spencer public highways, and for other purposes ;

Which was read a first, second, and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. O'Haver, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of twenty-eight males, and thirty females, citizens of the town of Sullivan, Sullivan county, asking the passage of a law prohibiting the sale of spirituous liquors within the limits of said town, in quantities less than five gallons, have had the same under consideration, and beg leave to make the following report : Your committee acknowledge the right of the citizens of towns and villages to decide for themselves whether they will or not tolerate the establishment of schools of vice and nurseries of immorality within their limits, and the request of the memorialists is reasonable, and a proper subject of legislation, but as a bill is now pending in this House which, if it becomes a law, will accomplish the object asked for in the petition, your committee deem local legislation on this subject, at this time unnecessary, and they would therefore ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Harvey, from a select committee, made the following report .

MR. SPEAKER :

The select committee, to whom was referred bill of the Senate, No. 139, entitled " An act providing for the election of township assessors in the counties of Greene and Hamilton," have had the

subject under consideration, and have instructed me to report it back to the House, with one amendment, and, when so amended, respectfully recommend its passage, which amendment is herewith submitted.

Amend the 6th section as follows :

Strike out "such sum not exceeding two dollars, as the Board doing county business in said county shall deem just and right," and insert "the sum of one dollar and twenty-five cents."

Mr. Shepard moved to lay the bill and amendment on the table.

Which motion did not prevail.

The question being on concurring in the amendment,

Was decided in the affirmative.

The bill as amended was ordered to a third reading.

On motion,

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Burnet, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 457, entitled "a bill to incorporate the Otter Creek and Raccoon plank road company," have considered the same, and directed me to report it to the House and recommend its passage.

On motion,

The rules were suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Huey, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Blackford county, asking the repeal of an act of 1848, regulating the fees of the officers of said county, have had the same under consideration, and the committee have directed me to report that it is inexpedient to grant the prayer of said petitioners, and the committee ask to be discharged from the further consideration on that subject.

Which report was concurred in.

On motion by Mr. Dodd,

The order of business was suspended.

On motion by Mr. Dodd,

Resolved, That the committee on the affairs of the town of Indianapolis be instructed to inquire into the propriety of so amending the charter of the city as to compel the council to make side-walks on either side of Washington street, as far west as the canal; and in case such action is deemed improper, to inquire into the expediency of requiring an appropriation from the State Treasury for that purpose, taxing the property on said street *ad valorem* for such expense.

Mr. Huey, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Jay county, asking the repeal of a certain law limiting the fees of the auditor of said county, have had the same under consideration, and the committee have directed me to report that it is inexpedient to grant the prayer of said petitioners, and the committee ask to be discharged from the further consideration of that subject.

Which report was concurred in.

Mr. Chandler, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred so much of the Governor's Message as relates to founding an asylum for the poor and destitute orphans of the State, have had the same under consideration, and they would observe that there will have to be raised a large additional tax over the ordinary State revenue, to defray the expenses of the convention, and as said orphans are now taken care of in the counties in which they reside at a cheaper rate than the State can do it, and as it would require a much larger establishment than the Insane Asylum to properly nurse and protect all the poor and destitute orphans in the State; they therefore have instructed me to report that it is in their opinion inexpedient to legislate on the subject at this time, and they ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Miller of M. and F., from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of William

Starner and others, have had the same under consideration, and instructed me to report the following bill and recommend its passage:

No. 462. A bill for the relief of William Starner and children ; Which was read a first time, and passed to a second reading.

On motion,

The rule was suspended, and the bill read a second time.

Mr. Prather moved to refer the bill to the committee on the judiciary.

Which motion did not prevail.

On motion by Mr. Alley,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have receded from their disagreement to the amendment of the House to the resolution of the Senate fixing the adjournment, *sine die*, of the present General Assembly, and have concurred in said amendment.

Mr. Cole, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of N. O. Ross, and forty-two other citizens of Miami county, for an extension of the terms of the Board of Commissioners, and the Probate Court of said county, and to increase the pay of the Probate Judge ; and, also, a remonstrance of E. H. Bruce, and seventy-two other citizens of said county on the same subject, have had the same under consideration, and have directed me to report that they have nothing to govern their action in the premises, except the said petition and remonstrance, and finding the latter to be signed by considerably the larger number, they deem it inexpedient to legislate upon the subject, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Wells, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens and ladies of Brownstown, and vicinity, on the subject of the license law, ask leave to report that they have had the same

under consideration, and deem legal legislation on the subject unnecessary, as there is now pending in the House a bill for a general law on the same subject. The committee ask to be discharged.

Which report was concurred in.

BILLS &C., INTRODUCED.

By Mr. Reed,

No. 463. A joint resolution relative to the donation of certain lands in the Vincennes Land District, for the purpose of sustaining and encouraging common schools ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Reed,

Referred to the committee on education.

By Mr. Niblack,

No. 464. A bill to legalize the acts of George R. Proctor, as Agent of Martin county ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Salter,

No. 465. A bill to provide for the payment of certain debts of the town of Lafayette ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Shelby,

Referred to the committee on the judiciary.

By Mr. Chandler,

No. 466. A bill to amend the 336th section, of chapter 47, of the revised statutes of 1843 ;

Which was read a first time and passed to a second reading.

By Mr. Russell,

No. 467. A bill relating to the prosecuting attorney of Hendricks county ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

By Mr. Delavan,

No. 468. A bill authorizing the transfer of the liens of Mechanics and others, on buildings ;

Which was read a first and second times, the rules being suspended therefor, and

On motion by Mr. Dougherty of Boone,

Referred to the committee on the judiciary.

By Mr. Butler,

No. 469. A bill to vacate certain State roads therein named ;
Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Carnahan of Fountain,

No. 470. A bill to authorize suits to be brought in the name of the State of Indiana upon the relation of county auditors, in certain cases ;

Which was read a first and second times, the rules being suspended therefor, and

On motion,

Referred to the committee on the judiciary.

By Mr. Gentry,

No. 471. A bill to amend an act entitled "an act to provide for the election of prosecuting attorneys ;"

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to the committee on the judiciary.

By Mr. Keeney,

No. 472. A bill to compel speculators to pay a tax equal to that paid by actual settlers in the county of Lagrange ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. O'Haver,

No. 473. A bill to repeal an act entitled "an act to levee the Wabash river on Shaker Prairie," approved January 14th, 1846 ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

By Mr. Hunter,

No. 474. A bill to incorporate the Marion County Horse Company, for the detection and apprehension of horse thieves, and others charged with crime ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Farnesly,

No. 475. A bill changing the mode of electing United States Senator ;

Which was read a first and second times, the rule being suspended therefor.

Mr. Shepard moved to lay the bill on the table ;

Which motion did not prevail.

Mr. Holcomb moved to refer the bill to the committee on the judiciary ;

Which motion did not prevail.

On motion by Mr. Niblack,

The bill was referred to the committee on elections.

By Mr. Gessie,

No. 476. A bill authorizing Vermillion Circuit Court to hear the application of Susan Coleman, for a divorce and change of name ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Rush,

No. 477. A bill to amend an act entitled "an act to revise and consolidate the several acts of the General Assembly, relative to laying out, opening, repairing, changing, and vacating public highways and to the erection and repair of bridges, and to amend the same," approved January 16th, 1849, so far as relates to the county of Rush ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Hicks,

No. 478. A bill to amend "An act to abolish the office of county auditor in the county of Johnson," approved January 14th, 1846 ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Greathouse,

No. 479. A bill to incorporate the Lamasco Iron Manufacturing Company ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion,

Referred to the committee on corporations.

By Mr. Goodwin,

No. 480. A bill to incorporate the Vincennes and Orleans Railroad Company ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion,

Referred to the committee on corporations.

By Mr. Stewart,

No. 481. A bill to provide for the more effectually preventing the sale of intoxicating drinks in the town of Lewisville ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Holcomb,

No. 482. A bill to amend an act entitled "An act regulating the granting of license to retail spirituous liquors in the counties of Gibson and Dubois," approved February 16th, 1848, so far as relates to Gibson county ;

Which was read a first and second times, the rules being suspended therefor.

Mr. Barker moved to amend the bill by inserting the county of Pike.

Which motion prevailed.

On motion,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Dougherty of Elkhart,

No. 483. A bill to amend an act entitled "An act to incorporate the Buffalo and Mississippi Railroad Company," and the several amendments thereto ;

Which was read a first and second times, the rule being suspended therefor.

Mr. Campbell moved to refer the bill to the committee on corporations ;

Which motion did not prevail.

On motion,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Butler,

No. 484. A bill to extend an act entitled "An act to extend the jurisdiction of justices of the peace in the several counties therein named," approved January 16th, 1849, to Wayne county ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Shelby,

No. 485. A bill relating to the jurisdiction of justices of the peace in certain criminal cases, in the county of Tippecanoe ;

Which was read a first time and passed to a second reading.

By Mr. Johnson,

No. 486. A bill relating to the extra pay of the Clerk and Auditor of the county of Parke ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Ross,

No. 487. A bill to amend the act entitled "An act to extend the benefits of common schools," approved January 16th, 1849 ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Reed,

No. 488. A bill to regulate the *ex officio* fees of the Clerk and Sheriff of Warrick county ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Brown of Randolph,

No. 489. A bill to change the name of Andrew Jackson Keeth to that of Andrew Jackson Wiggins, and for other purposes ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Shepard,

The House adjourned till 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, with one amendment :

No. 34. An act to incorporate the White county Monticello Bridge Company ;

In which amendment the concurrence of the House is respectfully requested.

The question being on concurring in the engrossed amendment of the Senate to the bill contained in the foregoing message ;

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 146. An act to amend article 5, chapter 28, of the Revised Statutes of 1843 ;

No. 175. An act to amend an act entitled an act to authorize county auditors to sell lands at private sale, which have been bid in for the use of the school fund, approved January 28, 1847, so far as relates to the counties of Fountain and Martin ;

No. 219. An act to amend an act creating Marion court of common pleas, approved January 4, 1849 ;

No. 229. An act to incorporate the White River Railroad Company ;

No. 246. An act to provide for the registration of births, deaths, and marriages ;

No. 298. An act to incorporate the Trustees of the Indiana Female Normal School ;

No. 301. An act to preserve the interest of the State of Indiana in the Madison and Indianapolis Railroad ;

No. 306. An act for the relief of Elias Abel of Monroe county ;

No. 321. An act to incorporate the Firemens' and Mechanics' Insurance Company ;

No. 322. An act to amend an act entitled an act to fix the time of holding courts in the tenth judicial circuit, approved January 25, 1847 ;

No. 337. An act to legalize the marriage between William Brazzle and Sarah Vaughan, of Daviess county ;

No. 338. An act to incorporate the Logansport Insurance Company ;

No. 341. An act for the relief of Paul Egbert and others ;

No. 343. An act in relation to the erection of a school house in Cambridge City ;

No. 346. An act defining the duties of the treasurer of Madison, county as to road tax ;

No. 350. An act to provide for the election of prosecuting attorney in the county of Wabash ;

No. 353. An act to increase the pay of the probate judge of Harrison county ;

No. 357. An act authorizing the election of an additional justice of the peace in North Madison ;

No. 359. An act for the relief of Crawford Byrd ;

No. 361. An act to vacate a certain alley in the town of Spencerville ;

In all of which the concurrence of the House is respectfully requested.

The House then proceeded to the consideration of the Senate bills contained in the foregoing message.

No. 146. A bill to amend article 5, of chapter 28, of the Revised Statutes of 1843 ;

No. 175. A bill to amend an act entitled an act to authorize county auditors to sell lands at private sale, which have been bid in for the use of the school fund, approved January 28th, 1847, so far as relates to the counties of Fountain and Warren ;

Were each read a first time and passed to a second reading.

No. 219. A bill to amend an act entitled an act creating Marion court of common pleas, approved January 4, 1849 ;

Was read a first time.

On motion by Mr. Hunter,

The rules were suspended, the bill read a second and third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 229. A bill to incorporate the White River Railroad Company ;

No. 246. A bill to provide for the registration of births, deaths, and marriages ;

No. 298. A bill to incorporate the Trustees of the Indiana Female Normal School ;

Were severally read a first time and passed to a second reading.

No. 301. A bill to preserve the interest of the State of Indiana in the Madison and Indianapolis Railroad ;

Was read a first time.

On motion by Mr. Hillis,

The rules were suspended, the bill read a second time, and ordered to a third reading.

No. 306. A bill for the relief of Elias Abel of Monroe county ;

Was read a first time and passed to a second reading.

Mr. Gentry moved to suspend the rules and read the bill a second time ;

Which motion did not prevail.

No. 321. A bill to incorporate the Fireman's and Mechanic's Insurance Company ;

Was read a first time and passed to a second reading.

Mr. Bowen moved to suspend the rules and read the bill a second time ;

Which motion did not prevail.

No. 322. A bill to amend an act entitled an act to fix the time of holding courts in the tenth judicial circuit, approved January 25, 1847 ;

Was read a first time and passed to a second reading.

No. 337. A bill to legalize the marriage between William Brazzle and Sarah Vaughan, of Daviess county ;

Was read a first time and passed to a second reading.

Mr. Goodwin moved to suspend the rules and read the bill a second time ;

Which motion did not prevail.

No. 338. A bill to incorporate the Logansport Insurance Company ;

No. 341. A bill for the relief of Paul Egbert and others ;

No. 343. A bill in relation to the erection of a school house in Cambridge city ;

No. 346. A bill defining the duties of the Treasurer of Madison county, as to road tax ;

Were severally read a first time and passed to a second reading.

No. 351. A bill to provide for the election of prosecuting attorney in the county of Wabash ;

Was read a first time and passed to a second reading.

Mr. Cole moved to suspend the rule and read the bill a second time ;

Which motion did not prevail.

No. 353. A bill to increase the pay of the probate judge of Harrison county ;

Which was read a first time and passed to a second reading.

Mr. Wilson moved to suspend the rules and read the bill a second time ;

Which motion did not prevail.

No. 357. A bill authorizing the election of an additional justice of the peace in North Madison ;

No. 359. A bill for the relief of Crawford Byrd ;

No. 361. A bill to vacate a certain alley in the town of Spencerville ;

Were severally read a first time and passed to a second reading.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof :

No 365. A bill to amend the charter of the Evansville and Illinois Railroad Company ;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of the bill contained in the foregoing message.

No. 365. A bill to amend the charter of the Evansville and Illinois Railroad Company ;

Which was read a first time and passed to a second reading.

Mr. Carnahan of Fountain, moved to suspend the rules and read the bill a second time ;

Which motion did not prevail.

SENATE BILLS ON THIRD READING.

No. 4. A bill to provide for the calling a convention of the people of the State of Indiana, to revise, amend, or alter the Constitution of said State ;

Was read a third time.

Mr. Carnahan of Posey, moved to refer the bill and amendments to a select committee of two, from each congressional district of this State, with instructions so to amend the bill as to reduce the number of delegates to the convention, to one hundred ; and that the members of this House be constituted said delegates, with power reserved to each representative to appoint a substitute, provided that he shall not be at liberty to appoint any member of the present Senate, or other office holder such substitute.

Mr. Shepard moved to lay the instructions on the table.

Which motion prevailed.

Mr. Miller of M. and F., moved to commit the bill to a select committee, with the following instructions :

So amend and alter section 2, as that there shall be elected as many delegates as there are members of the House of Representatives, with one additional delegate for each district, composed of more than one county, as apportioned in 1850.

Mr. Wright moved to amend the instructions as follows :

Strike out the words in the 4th line, section 2—"shall then by law be apportioned," and insert "were apportioned in 1849."

Mr. Cleaver called the previous question ;

Which was seconded by the House.

The question being,

" Shall the main question be now put ?"

Was decided in the affirmative.

The question then recurring on the main question, which was—

"Shall the bill pass ?"

The ayes and noes being demanded by Messrs. Mickle and Lane :

Those who voted in the affirmative were,

Messrs. Barker, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Byers, Caldwell, Carnahan of Fountain, Chandler, Cleaver, Cole, Conaway, Cotton, Cravens, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Goodwin, Greathouse, Harvey, Hicks, Hill, Hillis, Humphreys, Hunter, Keeney, Knowlton, Leviston, Menaugh, Millikan, O'Neal, Orr, Prather, Richardson, Robson, Ross, Rush, Russell, Shepard, Stone, Stoops, Thomas, Watkins, Weaver, Wilson, and Yocum—53.

Those who voted in the negative were,

Messrs. Allen, Alley, Athon, Beard, Butler, Carnahan of Posey, Connor, Defrees, Graves, Hart, Holcomb, Huey, Johnson, Landiss, Lank, May, Mickle, Miller of Marshall and Fulton, Miller of Owen, Morrison, Niblack, O'Haver, Robinson of Decatur, Robinson of Laporte, Salter, Shelby, Sherrod, Spencer, Stewart, Summers, Thom, Tinbrook, Warriner, Wells, Weir, Whinery, Wright, and Mr. Speaker—38.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

No. 7. A bill to amend an act entitled "an act to incorporate the Milton and Waterloo Turnpike company ;"

No. 15. A bill to amend an act entitled "an act to incorporate the Lake Michigan, Logansport, and Ohio river Railroad company," approved the 17th of February, 1848 ;

No. 93. A bill in relation to costs in certain cases ;

No. 95. A bill amendatory of an act entitled "an act to incorporate the Delphi and Frankfort Plank Road company," approved January 15, 1849 ;

No. 103. A bill to amend the charter of the city of Evansville ;

No. 107. A bill to incorporate the Indiana Asbury Female College ;

No. 109. A bill regulating the road laws in the county of Monroe ;
Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 113. A bill to amend an act entitled "an act to incorporate the Lafayette Plank Road company," approved January 3, 1849 ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Butler moved to take from the table joint resolution No. 82, and place it upon the files of the House.

Which motion did not prevail.

No. 118. A bill to amend an act to provide for the construction of a Railroad from Martinsville in Morgan county to Franklin in Johnson county ;

No. 119. A bill to increase the pay of the board of commissioners of Daviess county ;

Were each read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 122. A bill to give the Probate Judge of the county of Gibson jurisdiction of writs of habeas corpus ;

Was read a third time.

By unanimous consent the bill was amended by inserting the counties of Jennings and Warren.

The bill then passed.

The title of the bill was amended by inserting in the proper place the words "Jennings and Warren."

Ordered, That the Clerk inform the Senate thereof.

No. 127. A bill to authorize a company to construct the King's Ridge and Moor's Hill Turnpike ;

No. 128. A bill to authorize a company to construct the Hart's Mill and Marion Turnpike ;

No. 129. A bill to change the times of holding the circuit and probate courts in the county of Switzerland ;

No. 132. A joint resolution in relation to the public documents of the State of Indiana ;

No. 133. A bill to amend an act entitled "an act authorizing the construction of Plank Roads," approved January 15, 1849 ;

Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 142. A bill amendatory to an act entitled "an act to define the jurisdiction of justices of the peace in the several counties therein named ;"

Was read a third time.

Mr. Brown of Randolph offered the following amendments :

Amend by striking out "1848" and insert in lieu thereof the figures "1849." Amend further by inserting the county of Randolph ;

Which amendments were unanimously adopted.

The bill then passed.

Ordered, That the Clerk inform the Senate thereof.

No. 143. A bill to legalize the returns of the vote given for and against the school law in Shelby county ;

No. 145. A bill to legalize the acts of Johnson Farley, a justice of the peace ;

No. 153. A bill to amend an act entitled "an act to incorporate the city of Jeffersonville," and enlarge the boundaries thereof ;

No. 155. A bill to incorporate the Madison Gas Light Company ;

Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 160. A bill to incorporate the Hamilton Manufacturing Company ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 160. A bill to prevent frauds upon the revenue ;
Was read a third time.

Mr. Prather moved to lay the bill on the table ;
Which motion did not prevail.

On motion by Mr. Bird,
The House unanimously consented to insert the "county of Allen."
The question being on the passage of the bill,
Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

No. 171. A joint resolution in relation to the slave trade ;
Was read a third time, and,

On motion by Mr. Hicks,
Laid on the table.

No. 174. A bill to amend an act authorizing the Board of Commissioners of Cass county to issue Bonds bearing ten per cent. interest per annum, approved January the 28, 1843 ;

No. 176. A bill to increase the *per diem* allowance of the Probate Judge of the Probate Court of Fountain county ;

No. 178. A bill to incorporate the Noblesville and Northfield Plank Road company ;

Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Hicks,
The House took from the table House bill

No. 2. A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations,

And placed the same on the files of the House.

Mr. Dougherty of Boone moved that the House adjourn ;

Which motion did not prevail.

No. 180. A bill defining the duties of Treasurer in Hancock county ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cravens moved to reconsider the vote on the passage of House bill

No. 483. A bill to amend an act entitled "an act to incorporate the Buffalo and Mississippi Railroad company, and the several amendments thereto."

Mr. Ellis moved that the House adjourn ;

Which motion did not prevail.

Mr. Wilson moved that the House adjourn ;

Which motion did not prevail.

The question then recurring on the motion to reconsider.

The ayes and noes being demanded by Messrs. May and O'Neal.

Those who voted in the affirmative were,

Messrs. Athon, Barker, Beard, Bird, Brown of Randolph, Caldwell, Campbell, Carnahan of Posey, Conaway, Connor, Cotton, Cravens, Dodd, Dougherty of Boone, Elder, Ellis, Essex, Farnesly, Gentry, Goodwin, Greathouse, Harvey, Hicks, Hill, Huey, Landiss, Lane, Lank, Leviston, May, Menaugh, Mickle, Miller of M. and F., Miller of O., Niblack, O'Haver, O'Neal, Richardson, Salter, Shelby, Thomas, Tinbrook, Watkins, Yocum, and Mr. Speaker—45.

Those who voted in the negative were,

Messrs. Alley, Bowen, Brown of Shelby, Burnet, Butler, Defrees, Delavan, Dougherty of Elkhart, Edwards, Gessie, Graves, Harney, Hillis, Holcomb, Keeney, Knowlton, Millikan, Morrison, Orr, Prather, Robinson of Laporte, Rush, Russell, Shepard, Stewart, Stone, Stoops, Summers, Thom, Warriner, Weaver, Weir, Whinery, and Wright—34.

So the vote was reconsidered.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House to the following engrossed bills of the Senate :

No. 3. An act to modify the Agency of State and reduce the expenses thereof ;

No. 163. An act to incorporate the Rushville and National Road Plank Road Company ;

No. 116. A joint resolution in relation to the brave and patriotic sons of Hungary ;

No. 82. An act to incorporate the city of Richmond, Wayne county, Indiana, approved February 24, 1840 ;

No. 115. An act to incorporate a company to construct a turnpike road from Dillsborough to Versailles ;

No. 277. A joint resolution allowing to each of the benevolent institutions of the State a copy of the general and local laws and the revised code ;

No. 40. An act to incorporate the Trustees of the Princeton Female College ;

All without amendment.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills, with the engrossed bills of the House, and find the same correctly enrolled, to-wit :

No. 289. An act for the more speedy completion of the Indiana Hospital for the Insane ;

No. 96. An act to amend "an act to incorporate the Logansport, Rochester, and Michigan Road Compaay," approved January 15, 1846 ;

No. 192. An act to confirm the Angola Plank Road Company ;

No. 113. An act to amend an act entitled "an act to incorporate the Liberty and Brownsville Turnpike Company," approved February 12, 1848 ;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Ross, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled, to-wit :

No. 111. A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana ;

No. 6. An act relative to appeals and changes of venue from probate courts ;

No. 30. An act to amend an act to incorporate the Harrison, New Trenton, Rochester, and Brockville Turnpike Company, approved Jan. 13, 1849 ;

No. 186. An act to change the name of Emanuel Pidcock ;

No. 252. An act relative to a receiver in chancery in the county of St. Joseph ;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Millikan, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled, to-wit :

No. 301. An act to incorporate the Danville, North Salem, and Crawfordsville Plank Road Company ;

No. 171. An act to provide for a uniform mode of doing township business in Clay county ;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Burnet, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House and find the same correctly enrolled, to-wit :

No. 305. An act for an appropriation for a State Fire Engine for the use of the State Prison ;

No. 20. An act for the better improvements of highways ;

No. 32. An act to provide for ascertaining the value of personal property exempt from taxation ;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Essex,
The House adjourned.

SATURDAY MORNING, 9 O'CLOCK, JANUARY 12, 1850.

The House met.

Mr. Wright moved to dispense with reading the journal.
Which motion did not prevail.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions of the House without amendment :

No. 59. An act authorizing an additional number of copies of the Revised Statutes of 1842, to be distributed to the counties of Miami and Adams ;

No. 85. A joint resolution in relation to the officers and soldiers of the War of 1812;

No. 245. An act to amend an act entitled "An act to incorporate the town of Franklin, in Johnson county," approved Feb. 15, 1838;

No. 250. An act to change the name of Mary Bell Niel to Mary Bell Noble;

No. 261. An act to vacate a certain alley in the town of West Harrisonville, and a certain street in the town of Mount Pleasant, in the county of Martin;

No. 266. An act to incorporate the "Alamo Sons of Reform," in the State of Indiana;

No. 296. An act to enable the inhabitants of the counties of Huntington and Whitley to construct Plank Roads;

No. 290. An act to incorporate the Noblesville Bridge Company;

No. 299. An act authorizing the county commissioners of the county of Pike to levy a road tax, so far as relates to the county of Pike;

No. 312. An act to organize the county of Stark;

No. 337. An act to establish an additional place of holding elections in Eagle township, in Boone county;

No. 358. An act for the relief of the purchasers of Seminary lands in Monroe county;

No. 359. An act to increase the per diem allowance of the probate judge of the probate court of Vermillion county;

No. 362. An act for the relief of the Trustees of the Union Meeting House for the United Brethren in Christ, in Wayne county;

No. 367. An act to legalize the assessment of taxes of Tippecanoe county;

No. 374. An act to amend an act, entitled "An act to locate a State road in the counties of Decatur, Jennings, and Bartholomew," approved Jan. 5, 1849;

No. 375. An act to extend the time of the sittings of the probate court of Fulton county;

No. 395. An act to incorporate the St. Paul's Church and St. Joseph's School Society in New Alsace, Dearborn county;

No. 427. An act to organize an additional school district in the county of Sullivan;

No. 430. An act granting the right of way to companies in the State of Illinois to construct plank roads in the county of Vermillion, in this State;

No. 432. An act to prevent the unnecessary obstruction of Otter creek, in the county of Vigo;

No. 433. An act to amend the charter of the New Albany and Salem Rail Road Company;

No. 437. An act to amend an act entitled "an act to incorporate the town of Hagerstown, in Wayne county," approved January 19, 1846;

No. 438. An act to amend the road laws of Porter county ;

No. 439. An act to repeal a certain act therein named, so far as it relates to the county of Randolph, and to revive certain other laws ;

No. 441. An act authorizing the election of an additional justice of the peace in Highland township, in Vermillion county ;

No. 442. An act for the relief of Aaron Wright, of Marion county ;

No. 443. An act to attach certain territory in the county of La-porte ;

No. 444. An act to incorporate the town of Newbern, in Bartholomew county ;

No. 446. An act to change the name of Trenton, in the county of Randolph ;

No. 447. An act to increase the salary of the probate judge of Elkhart county ;

No. 450. An act to legalize the Lafayette and Muncietown State road in the counties of Clinton and Tipton ;

No. 452. An act in relation to the county seminary property of Vanderburgh county ;

No. 453. An act to change the name of the town of White Hall in Miami county to that of Waw-pe-cong.

No. 454. An act to legalize certain proceedings in the Grant probate court ;

No. 455. An act declaring the Calumet river a public highway ;

Part of the journal having been read—

Mr. Greathouse moved to dispense with the further reading ;

Which motion did not prevail.

The Clerk again proceeded to read the journal, when,

On motion by Mr. Edwards,

The further reading was dispensed with.

PETITIONS, &C., PRESENTED.

By Mr. Niblack,

The petition of sundry citizens of Orange, Martin, Greene, and Daviess counties, relative to a State road from Orleans via Harrisonville, to Newburg, in Greene county :

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Niblack, Sherrod, and Humphreys.

By Mr. Gentry,

The petition of sundry citizens of Morgan county, to attach certain territory in the county of Morgan to the county of Monroe ;

Which,

On motion,

Was referred to a select committee, consisting of

Messrs. Gentry, Delavan, and Huey.

By Mr. Shepard,

The petition of Samuel Emison, and others, of Vincennes, to change a school district;

Which,

On motion,

Was referred to a select committee, consisting of

Messrs. Shepard, Graves, and Edwards.

SPECIAL ORDER OF THE DAY.

The hour having arrived, the House took up the following bill :

No. 425. A bill to raise a revenue for State purposes for 1850 ;

The House resolved itself into the committee of the whole on the foregoing bill, Mr. Cravens in the Chair.

After some time spent in the consideration of the same, the committee rose and made the following report, through Mr. Cravens, their chairman :

MR. SPEAKER :

The committee of the whole House to whom was referred bill of the House No. 425, entitled "a bill to raise a revenue for the year 1850," have, according to order, had the same under consideration, and have directed me to report the same back, without amendment, and respectfully recommend its passage, and ask to be discharged from the further consideration thereof.

Mr. Chandler moved to amend the 2d section of the bill by striking out "three and a half," and inserting "five ;"

Which motion did not prevail.

Mr. Whinery moved to strike out "seventy-five" and insert "fifty" where it applies to the poll tax ;

Which motion did not prevail.

Mr. Connor moved to amend by adding the following section :

"Sec. —. The fourth paragraph of section 5, of chapter 12, of the Revised Statutes of 1843, be, and the same is, hereby repealed."

Mr. Niblack moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Connor and Prather :

Those who voted in the affirmative were,

Messrs. Allen, Alley, Athon, Barker, Beard, Bird, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Caldwell, Campbell, Carnahan of Fountain, Chandler, Cleaver, Cole, Conaway, Cotton, Cravens, Defrees, Dodd, Dougherty of Elkhart, Edwards,

Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Graves, Greathouse, Hart, Harvey, Hicks, Hill, Hillis, Huey, Humphreys, Johnson, Keeney, Knowlton, Lane, Leviston, May, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikan, Morrison, Niblack, O'Haver, Orr, Prather, Reed, Richardson, Robinson of Laporte, Ross, Rush, Russell, Salter, Shelby, Shepard, Spencer, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Warriner, Watkins, Weaver, Wells, Weir, Whinery, Wright, and Yocum—78.

Those who voted in the negative were,

Messrs. Bowen, Carnahan of Posey, Connor, Delavan, Goodwin, Harney, Landiss, Menaugh, Thomas, Wilson, and Mr. Speaker—12.

So the amendment was laid on the table.

Mr. Lane moved to amend section second by striking out "two cents and two and a half mills;" and inserting "one cent and seven and a half mills."

On motion by Mr. Mickle,

The amendment was laid on the table.

The question being on the engrossment of the bill,

Was decided in the affirmative.

REPORTS FROM COMMITTEES.

Mr. Dougherty of Boone, from the committee on elections, made the following report:

MR. SPEAKER :

The standing committee on elections, to whom was referred Senate bill No. 186, entitled "an act requiring an enumeration of the white male inhabitants of this State, have had the same under consideration, and directed me to report the same back to the House without amendment, and recommend its passage.

Which bill was ordered to a third reading.

Mr. Elder, from the committee on ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means, to whom was referred the claims of Albert S. White and William W. Wick, have according to order examined the same, and the committee have instructed me to report that the said claimants ought to be allowed each three hundred dollars ; the committee therefore recommend that the same

be inserted in the specific appropriation bill, and your committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Russell, from the committee of ways and means, made the following report :

MR. SPEAKER :

The committee of ways and means, to whom was referred bill of the House of Representatives No. 325, entitled "an act to confirm the sale of the State's right to take new stock in the Madison and Indianapolis Railroad Company, and to prevent said Company from making an increase in the stock in said Company so long as the State has an interest in said road," have had the same under consideration, and have directed me to report it back with the following amendment. to-wit :

1st amendment :

Strike out the first section from the enacting clause, and insert in lieu thereof the three following sections, viz :

Sec. 1. That the Auditor of State is authorized to audit, and the Treasurer of State to pay, out of any money in the Treasury, the sum of three thousand nine hundred dollars, with interest at the rate of six per cent. per annum, from the time it was advanced until the time of making payment, to the individual or individuals who made a conditional purchase of the two hundred and sixty shares of stock in the Madison and Indianapolis Railroad Company, to which the State was entitled by virtue of the increase of said stock made by the Directors of said Company, on the 20th of February, 1849, and that the said Auditor also audit, and the said Treasurer pay to the said purchaser or purchasers the further sum of thirteen hundred dollars, with interest thereon from the 15th of March last—that sum having been advanced by said purchasers on that day to meet the instalment then due on the said new stock.

Sec. 2. That the Treasurer of State is required to pay the sum due on said new stock on the 25th of January, 1850, according to the requisitions of the Directors of said Railroad Company.

Sec. 3. That the Auditor and Treasurer of State are directed to sell the said two hundred and sixty shares for the best price that it will command, having first given notice of said sale in one or more of the public papers in Indianapolis for at least thirty days ; the proceeds of said sale to be placed in the State Treasury ; and the said Auditor and Treasurer are hereby invested with full power and authority to make the proper transfer of said stock to the purchaser or purchasers.

2d amendment :

Strike out "sec. 2d," and insert "4."

3d amendment :

Strike out "sec 2d," and insert "5."

Which amendments were concurred in.

The bill, as amended, was ordered to be engrossed.

On motion by Mr. Russell,

The rule was suspended, the bill read a third time and passed.

On motion by Mr. Russell,

The title of the bill was amended so as to read as follows :

"An act to provide for paying the amount due on the new stock belonging to the State, in the Madison and Indianapolis Railroad, and for other purposes."

Ordered, That the Clerk inform the Senate of the passage of said bill.

Mr. Robinson of Decatur, from the committee of ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means, to whom was referred bill of the House, No. 119, entitled "An act to authorize the county auditor to pay the three per cent. fund to the county auditor entitled to the same," have, according to order, had that subject under consideration and directed me to report that legislation on that subject is, in the opinion of the committee, inexpedient, and they, therefore, recommend that the bill be laid on the table and the committee be discharged from the consideration of the subject.

Which report was concurred in.

Mr. Mickle, chairman of the committee of ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means, to whom was referred bill of the Senate, No. 84, have had the same under consideration and have directed me to report that the committee have considered the provisions of the bill, and find that it fixes the salary of the State Trustee, at \$1200 per annum, and disapproves of the present salaries of the trustees elected on the part of the bondholders. The law itself, which is part of the contract with our creditors, gives the Legislature the right to fix the salary of the trustee elected by the State, but leaves to the bondholders the right to fix the salaries of their own trustees, subject, however, to the approval of the Leg-

islature of Indiana. This is what the law organizing the trust declares, and as it is a part of the contract itself, cannot be changed by any action of ours.

We have then the undoubted right to fix the salary of the trustee elected on the part of the State, but no right to fix the salaries of the other two trustees, and our approval or disapproval cannot change the matters one way or the other. We cannot go behind the law if we would, and have to examine the question as one of fact and not of theory.

The State Trustee is our own peculiar officer, charged more immediately with guarding the rights of Indiana, and equally responsible for any breach of contract on the part of the trust. All are acting for two parties—the creditors and the State, both of whom are equally interested in a faithful and honest execution of the trust, confided to the three persons selected as trustees. The property managed by them, is for the benefit of the debtor and creditor, jointly, and belongs to neither exclusively. This view of the case is not always duly considered, but it never should be lost sight of in our legislation here.

Would it be right to compel the trustee elected by ourselves to receive a less salary than the trustee resident in Indiana, selected by the bondholders? both are officers of the same grade, equally responsible for the conduct of the board, and perform like labor in the sphere of their respective duties. They give an equal bond and are subject to the same penalties for any maladministration or errors in office. As they are equal in these things, would it be policy in the State, to make her own trustee inferior in point of salary, or to lessen in any way, the position which he occupies? Both are paid from money arising out of the trust, and none of the trustees receive a single dollar from the State treasury. The people are not taxed one cent to pay the salary of the State trustee, for it comes like the other salaries, from the funds of the trust.

We learn from the most reliable and disinterested sources, that the State trustee is constantly engaged in the most laborious and responsible duties, and that a heavy amount of labor has been performed by him since his connection with the trust, charged specially with the interests of the State, he has been constantly engaged in settling questions involving the rights of the citizens of Indiana, and in attending to the lands belonging to the State and the creditors, constantly from home, to the entire neglect of his private pecuniary affairs, he should be placed at least on the same footing as his Indiana colleague, elected by the bondholders. All these trustees to give the same bond, (each amounting to one hundred thousand dollars,) and that is no small consideration in estimating the amount of the salary to be paid. Responsible for the faithful and honest disbursement of some three hundred thousand dollars, annually, (in the hands of various agents,) is a liability which few men would be willing to incur without a fair and generous compensation.

Though your committee is decidedly in favor of the most rigid

economy, they have not been able to satisfy themselves that this bill ought to pass. When the canal is completed to Evansville, and the heavy disbursements and responsibility cease, a general reduction of salaries ought to be recommended by the General Assembly, but till that time arrives, the bondholders should be allowed to use a wise discretion in the payment of those employed to carry out the great enterprize in which the trust is embarked. For the present it is our opinion that legislation on this subject should be discountenanced, leaving to future legislation, the decision of this and similar questions.

Impressed with these views, and doubting the justice of a discrimination between our own and the bondholder's resident trustee, in point of salary, we respectfully recommend that the bill accompanying this report, be indefinitely postponed, and the committee discharged from a further consideration of the subject.

Which report was concurred in.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled :

No. 433. An act to amend the charter of the New Albany and Salem Railroad Company.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Chandler, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill, No. 385, entitled "A bill to amend the law of *scire facias*," have had the same under consideration and have instructed me to report the bill back without amendment and recommend its passage.

On motion by Mr. Hunter,
The rule was suspended and the bill read a third time and passed.

On motion by Mr. Niblack,
The title was amended so as to read as follows :

"An act to amend the law concerning writs of *scire facias*."

Ordered, That the Clerk inform the Senate of the passage of said bill.

Mr. Thomas, from the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to whom was referred a joint resolution of the House No. 463, have had the same under consideration, and have directed me to report the same back without amendment, and recommend its passage.

Which was ordered to be engrossed.

Mr. Athon, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The standing committee on claims, to whom was referred Senate bill No. 201, have had the same under consideration, and have instructed me to report it back to the House, and recommend that it be indefinitely postponed, and ask to be discharged from the further consideration of the subject.

Mr. Cleaver moved a call of the House ;

Which motion did not prevail.

The question being on concurring in the report of the committee ;

The ayes and noes being demanded by Messrs. Carnahan of Posey and Morrison :

Those who voted in the affirmative were,

Messrs. Allen, Athon, Barker, Beard, Bird, Brown of Shelby, Butler, Byers, Carnahan of Posey, Cleaver, Connor, Cotton, Cravens, Dougherty of Boone, Elder, Ellis, Essex, Farnesly, Goodwin, Great-house, Hart, Hill, Humphreys, Johnson, Keeney, Landiss, Leviston, Menaugh, Miller of Owen, Niblack, O'Haver, O'Neal, Reed, Richardson, Robinson of Decatur, Robson, Ross, Rush, Salter, Shelby, Shepard, Stoops, Summers, Warriner, Watkins, Wilson, and Yocum—47.

Those who voted in the negative were,

Messrs. Alley, Bowen, Caldwell, Chandler, Cole, Conaway, Delavan, Dodd, Dougherty of Elkhart, Edwards, Gentry, Gessie, Graves, Harvey, Hicks, Hillis, Huey, Knowlton, Lane, Miller of Marshall and Fulton, Millikan, Morrison, Orr, Prather, Robinson of Laporte, Russell, Stewart, Stone, Thom, Thomas, Tinbrook, Weaver, Wells, and Whinery—34.

So the report was concurred in.

Mr. Hill, from the committee on roads, made the following report :

MR. SPEAKER :

The standing committee on roads, to whom Senate bill No. 310 was referred, have had the same under consideration, and directed me to report the bill back to the House with one amendment, and when so amended to recommend its passage :

Amend by adding at the end of Section 1, the following proviso :

“ Provided, That nothing in this act shall be so construed as to effect any re-location of said road heretofore made ;

Which amendment was concurred in.

The bill was then ordered to a third reading.

On motion by Mr. Prather,

The House adjourned till 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

ORDERS OF THE DAY.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate insist upon their engrossed amendments to the following engrossed bills of the House :

No. 64. An act in relation to extra taxes in Lamasco City.

No. 73. An act to amend an act entitled “An act to incorporate the Lafayette Insurance Company,” approved January 8th, 1836.

On motion by Mr. Greathouse,

The House insisted on its disagreement to the amendment of the Senate to House bill No. 64, contained in the foregoing message.

On motion,

A committee of free conference was appointed, consisting of Messrs. Greathouse and Wilson.

Ordered, That the Clerk inform the Senate thereof.

Mr. Mickle moved to lay House bill No. 73, (contained in the foregoing message) on the table;

Which motion did not prevail.

Mr. Hillis moved that the House recede from its disagreement to the amendment of the Senate;

Which motion did not prevail.

On motion by Mr. O'Neal,

A committee of free conference was appointed, consisting of Messrs. O'Neal and Mickle.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof :

No. 250. An act to incorporate the Shelbyville and Indianapolis Rail Road Company, and for other purposes ;

No. 281. An act to incorporate the Ohio River, Princeton, and Petersburg Plank Road Company ;

No. 340. An act to incorporate the Cincinnati and Saint Louis Telegraph Company ;

No. 363. An act to authorize Michael T. Bourke to obtain license to practice law in this State ;

No. 364. An act to authorize the voters of Washington township, in the county of Blackford, to vote at Hartford, in said county ;

No. 367. An act to authorize the commissioners of Pulaski county to borrow money ;

No. 371. An act to amend an act entitled "an act to change the time of holding courts in the eighth judicial circuit," approved January 15, 1849 ;

No. 372. An act to change the time of holding the February term of the probate court in the county of Crawford ;

No. 373. An act for the relief of Eleanor Clark, of Switzerland county ;

In all of which the concurrence of the House is respectfully requested.

The House then proceeded to the consideration of Senate bills contained in the foregoing message :

No. 250. A bill to incorporate the Shelbyville and Indianapolis Rail Road Company, and for other purposes ;

Was read a first time and passed to a second reading.

No. 281. A bill to incorporate the Ohio River, Princeton, and Petersburg Plank Road Company ;

Was read a first and second times, the rule being suspended therefor, and

On motion by Mr. Holcomb,

Referred to the committee on corporations.

No. 340. A bill to incorporate the Cincinnati and Saint Louis Telegraph Company ;

Was read a first time and passed to a second reading.

No. 363. A bill to authorize Michael T. Bourke to obtain license to practice law in this State ;

Was read a first time and passed to a second reading.

No. 364. A bill to authorize the voters of Washington township in the county of Blackford, to vote at Hartford, in said county ;

Was read a first time and passed to a second reading.

On motion by Mr. Huey,

The rule was suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 367. A bill to authorize the commissioners of Pulaski county to borrow money ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 371. An act to amend an act entitled "an act to change the time of holding courts in the eighth judicial circuit," approved January 15, 1849 ;

Was read a first time and passed to a second reading.

No. 372. A bill to change the time of holding the February term of the probate court in the county of Crawford ;

Was read a first time and passed to a second reading.

On motion by Mr. Landiss,

The rule was suspended and the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 273. A bill for the relief of Eleanor Clark, of Switzerland county ;

Was read a first time.

Mr. Elder moved to reject the bill ;

The ayes and noes being demanded by Messrs. Elder and Beard :

Those who voted in the affirmative were,

Messrs. Alley, Athon, Beard, Bowen, Butler, Byers, Caldwell, Carnahan of P., Chandler, Cleaver, Conaway, Conner, Cotton, Cravens, Defrees, Dougherty of B., Elder, Essex, Farnesly, Gessie, Graves, Hart, Harvey, Hicks, Hill, Humphreys, Hunter, Keeney, Knowlton, Leviston, Menaugh, Miller of O., Morrison, Orr, Ross, Rush, Russell, Salter, Sherrod, Spencer, Stewart, Stoops, Summers,

Thom, Thomas, Warriner, Watkins, Wells, Yocum, and Mr. Speaker—50.

Those who voted in the negative were,

Messrs. Allen, Barker, Bird, Brown of S., Burnet, Campbell, Carnahan of F., Cole, Delavan, Dodd, Dougherty of E., Edwards, Ellis, Gentry, Goodwin, Greathouse, Harney, Hillis, Holcomb, Huey, Johnson, Lane, May, Mickle, Miller of M. and F., Niblack, O'Haver, O'Neal, Prather, Reed, Richardson, Robinson of D., Shepard, Stone, Tinbrook, Weaver, Weir, Wilson, Whinery, and Wright—40.

So the bill was rejected.

On motion by Mr. Sherrod,

The order of business was suspended.

Mr. Sherrod introduced,

No. 490. A joint resolution relative to the preservation of a Republican Government and justice to public servants.

Mr. Russell moved a call of the House ;

Which motion prevailed.

Messrs. Lank, Withers, and Murray were excused.

After some time spent in the call, ninety members answered to a call of their names.

On motion by Mr. Orr,

The further call was dispensed with.

Mr. Hillis moved to suspend the rule and read the joint resolution a second time ;

Which motion did not prevail.

The joint resolution passed to a second reading.

Mr. Gentry moved to suspend the order of business ;

Which motion did not prevail.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have disagreed to the first engrossed amendment of the House to engrossed bill of the Senate

No. 4. An act to provide for the calling a convention of the people of the State of Indiana to revise, amend, or alter the constitution of said State ;

And have concurred in the second engrossed amendment of the House to said engrossed bill of the Senate.

Mr. Brown of Shelby moved that the House insist on its first amendment to Senate bill No. 4, contained in the foregoing message.

The ayes and noes being demanded by Messrs. Wilson and Gentry :

Those who voted in the affirmative were,

Messrs. Allen, Alley, Bowen, Brown of Shelby, Burnet, Butler, Byers, Campbell, Chandler, Cleaver, Cole, Conaway, Connor, Cotton, Cravens, Delavan, Dodd, Dougherty of Boone, Gessie, Goodwin, Greathouse, Harvey, Hicks, Hill, Humphreys, Hunter, Keeney, Knowlton, Lane, Leviston, May, Menaugh, Miller of M. and F., Miller of O., Morrison, O'Haver, O'Neal, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Robson, Ross, Rush, Salter, Shelby, Shepard, Stewart, Stone, Stoops, Summers, Thom, Thomas, Tinbrook, Watkins, Weaver, Weir, Wilson, and Yocum—60.

Those who voted in the negative were,

Messrs. Athon, Barker, Beard, Bird, Brown of Randolph, Caldwell, Carnahan of Fountain, Carnahan of Posey, Defrees, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Graves, Harney, Hart, Hillis, Holcomb, Huey, Johnson, Mickle, Niblack, Richardson, Russell, Sherrod, Spencer, Warriner, Wells, Whinery, Wright, and Mr. Speaker—34.

So the House insisted on its first amendment to Senate bill No. 4.

Ordered, That the Clerk inform the Senate thereof.

Mr. Holcomb moved to suspend the order of business ;
Which motion did not prevail.

HOUSE BILLS ON THIRD READING.

No. 183. A bill to amend an act entitled an act to incorporate the Buffalo and Mississippi Railroad company, and the several amendments thereto ;

Was read a third time.

Mr. Salter moved to commit the bill to the committee on canals and internal improvements, with instructions to add the following proviso .

Provided. That the said Buffalo and Mississippi Railroad company shall lay out and expend the sum of one hundred and fifty thousand dollars, in the construction of their branch of said road from Michigan City to Lafayette, within the period of eighteen months from the passage of this act : that they shall make at least twenty miles of said road within the period of three years from the passage of this act, and that said company shall fully make and complete said road within a period of seven years.

Which motion prevailed.

No 7. A bill exempting homesteads from execution ;

Was read a third time.

Mr. Hillis moved to recommit with the following instructions :

Strike out the words, "or other," and lawfully obtained in section 2, also section 8, also the amendment exempting \$500 worth of personal property from execution.

Mr. Cravens moved to lay the instructions and bill on the table.

Mr. Orr called for a division of the question.

The question being, on laying the instructions on the table,

Was decided in the affirmative.

The question being on laying the bill on the table,

The ayes and noes being demanded by Messrs. Goodwin and Carnahan of Posey :

Those who voted in the affirmative were,

Messrs. Athon, Beard, Bowen, Brown of Shelby, Byers, Caldwell, Cleaver, Cole, Conaway, Cravens, Dodd, Dougherty of Elkhart, Elder, Ellis, Essex, Farnesly, Hart, Hicks, Hill, Johnson, Knowlton, Landiss, Leviston, May, Menaugh, Mickle, Niblack, Robinson of Decatur, Rush, Salter, Spencer, Stewart, Stone, Summers, Thom, Tinbrook, and Mr. Speaker—37.

Those who voted in the negative were,

Messrs. Alley, Barker, Bird, Brown of Randolph, Burnet, Butler, Campbell, Carnahan of Fountain, Carnahan of Posey, Chandler, Connor, Cotton, Delavan, Dougherty of Boone, Edwards, Gentry, Gessie, Goodwin, Graves, Harvey, Hillis, Holcomb, Huey, Humphreys, Hunter, Keeney, Lane, Miller of Marshall and Fulton, Miller of Owen, Morrison, O'Haver, O'Neal, Orr, Reed, Richardson, Robinson of Laporte, Robson, Ross, Russell, Shelby, Shepard, Sherrod, Stoops, Thomas, Warriner, Watkins, Wells, Wilson, Whinery, Wright, and Yocum—51.

So the bill was not laid on the table.

Mr. Brown of Randolph, moved to refer the bill to a select committee with the following instructions :

Amend section 2, by striking out the words "or other lien lawfully obtained" and insert after the word "mechanics" the word "lien."

Amend last section, by inserting at the proper place, the words "now subject by law to execution."

Amend section 8, by so changing that, after the taking effect of this act, personal property shall not sell for less than one half of its appraised value, and real estate for not less than two thirds the appraised value thereof.

Which motion prevailed.

The Speaker appointed Messrs. Brown of Randolph, Carnahan of Posey, and Carnahan of Fountain, said committee.

Mr. Salter moved the following instructions :

Amend by striking out so much of the bill as relates to the exemption of five hundred dollars worth of personal property.

Mr. Cotton moved to lay the instructions on the table.

Which motion prevailed.

Mr. Edwards moved to instruct the committee to repeal all stay and valuation laws.

Mr. Chandler moved to lay the instructions on the table.

The ayes and noes being demanded by Messrs. Stone, and Edwards :

Those who voted in the affirmative were,

Messrs. Allen, Alley, Barker, Beard, Bird, Bowen, Brown of Randolph, Brown of Shelby, Butler, Byers, Caldwell, Campbell Carnahan of Fountain, Carnahan of Posey, Chandler, Cleaver, Conaway, Conner, Cotton, Cravens, Dougherty of Boone, Gentry, Goodwin, Graves, Harvey, Huey, Humphreys, Hunter, Johnson, Keeney, Landiss, Lane, Mickle, Miller of Owen, Morrison, O'Neal, Orr, Prather, Richardson, Robinson of Laporte, Ross, Russell, Shelby, Shepard, Stewart, Stoops, Summers, Thomas, Tinbrook, Warriner, Watkins, Weaver, Wells, Whinery, Wright, and Yocum—56.

Those who voted in the negative were,

Messrs. Athon, Burnet, Cole, Delavan, Dodd, Dougherty of E., Edwards, Ellis, Essex, Farnesly, Gessie, Harney, Hill, Hillis, Holcomb, Knowlton, Leviston, Menaugh, Niblack, O'Haver, Robinson of D., Rush, Salter, Sherrod, Spence, Stone, Thom, Wilson, and Mr. Speaker—28.

So the instructions were laid upon the table.

No. 62. A bill to prevent the forfeiture of school lands ;

Was read a third time and passed.

On motion by Mr. Chandler,

The title was amended by adding the words "in Warren, Franklin, and Dearborn counties."

Ordered, That the Clerk inform the Senate thereof.

No. 100. A bill the more effectually to prevent the withdrawal from this State, and its investment in other States, of the active capital of the citizens of Indiana by further regulating the interest on money ;

Was read a third time.

The question being, "Shall the bill pass ?"

The ayes and noes being demanded by Messrs. Elder and Lane :

Those who voted in the affirmative were,

Messrs. Athon, Beard, Carnahan of Fountain, Chandler, Cleaver, Cole, Connor, Elder, Gessie, Harvey, Hill, Niblack, Robinson of Laporte, Spencer, Stone, Stoops, and Whinery—17.

Those who voted in the negative were,

Messrs. Allen, Alley, Barker, Bird, Bowen, Brown of R., Brown of S., Burnet, Butler, Byers, Caldwell, Campbell, Carnahan of Posey, Conaway, Cotton, Cravens, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Ellis, Essex, Farnesly, Gentry, Goodwin, Graves, Hart, Hicks, Hillis, Holcomb, Huey, Humphreys, Johnson, Keeney, Knowlton, Landiss, Lane, Leviston, May, Menaugh, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikan, Morrison, O'Haver, O'Neal, Orr, Prather, Reed, Richardson, Robinson of Decatur, Robson, Ross, Rush, Russell, Salter, Shelby, Shepard, Sherrod, Stewart, Summers, Thom, Thomas, Tinbrook, Warriner, Watkins, Weaver, Wells, Wilson, Wright, Yocum, and Mr. Speaker—74.

So the bill did not pass.

Mr. Miller of Marshall and Fulton moved to suspend the order of business that he might introduce a resolution ;

Which motion did not prevail.

No. 145. A bill relating to advertising delinquent lands mortgaged to the Sinking Fund :

Was read a third time.

By unanimous consent the bill was amended by inserting in the proper place the words—"so much as lies in said county."

The question being, "shall the bill pass?"

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

No. 224. A bill providing for an appeal from the several Boards of County Commissioners in the State in certain cases therein named ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Ross moved that the House adjourn ;

Which motion did not prevail.

No. 239. A bill to amend the 224th section, of the 30th chapter, of the Revised Statutes of 1843 ;

No. 251. A joint resolution on the subject of public lands in the State of Indiana ;

Were each read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Hunter,

Leave was granted him to withdraw the petition of Aaron Wright, and the accompanying papers from the files of the House ;

No. 254. A bill to locate a State road in the counties of Sullivan, Clay, Owen, and Hendricks ;

No. 256. A bill for the relief of widows whose husbands die intestate without any heirs lineally descended from them ;

No. 287. A bill to declare an act entitled "an act to increase and extend the benefits of common schools," approved January 17th, 1849, to be in force in certain counties, and for other purposes ;

Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Salter moved that the House adjourn ;

Which motion did not prevail.

Mr. Shelby moved to suspend the order of business ;

Which motion did not prevail.

No. 306. A bill to straighten the line between Ohio and Dearborn counties, in the State of Indiana ;

Was read a third time.

Mr. Conaway moved to recommit the bill to a select committee of three, with the following instructions :

"Amend so as to allow the people of the several townships through which the line described in the bill passes, to vote for or against attaching said territory to the county of Ohio, instead of the people in the district petitioning."

Which motion did not prevail.

The question being on the passage of the bill,

And the ayes and noes being demanded by Messrs. Ross and Watkins :

Those who voted in the affirmative were,

Messrs. Barker, Beard, Bird, Bowen, Butler, Campbell, Carnahan of Fountain, Cole, Cotton, Edwards, Farnesly, Gentry, Gessie, Graves, Greathouse, Harvey, Hill, Hillis, Holcomb, Huey, Humphreys, Landiss, Lane, Leviston, May, Mickle, Miller of Marshall and Fulton, Millikan, Morrison, O'Haver, O'Neal, Prather, Reed, Richardson, Robinson of Laporte, Rush, Russell, Salter, Shepard, Sherrod, Spencer, Stewart, Stone, Stoops, Summers, Thom, Thomas, Tinbrook, Warriner, Weir, Whinery, Wright, and Mr. Speaker—53.

Those who voted in the negative were,

Messrs. Alley, Brown of Randolph, Brown of Shelby, Byers, Carnahan of Posey, Chandler, Cleaver, Conaway, Dougherty of Boone, Dougherty of Elkhart, Elder, Ellis, Hart, Hunter, Johnson, Orr, Robinson of Decatur, Ross, Shelby, Watkins, Weaver, Wells, and Yocum—23.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

No. 307. A bill incorporating the Indianapolis and Springfield Plank Road Company ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Hillis,
The House adjourned.



MONDAY MORNING, 9 O'CLOCK, JANUARY 14, 1850.

The House met.

Part of the journal having been read,

On motion by Mr. Weir,
The further reading of the journal was dispensed with.

Mr. Weir moved to dispense with the order of business ;
Which motion did not prevail.

On motion by Mr. Harney,
Joint resolution of the House No. 82, was taken from the table
and placed on the files of the House.

Mr. Weir, chairman of the committee on enrolled bills, made the
following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled :

No. 265. An act to provide for electing supervisors by districts in the counties of Boone, Delaware, Huntington, Whitley, Parke, and Posey.

No. 304. An act to provide for carrying the unpaid taxes of 1847, and the delinquent taxes of previous years, on the tax list of 1850, in the county of Adams.

No. 288. An act for the relief of Nehemiah Cheeseman, of Wayne county.

No. 213. An act to legalize the acts of commissioners appointed to locate a road in the counties of Fountain and Tippecanoe.

No. 234. An act relative to the Union Plank road, in Laporte county.

No. 60. An act to authorize the voters of Daviess county to vote in Washington township in said county.

No. 282. A joint resolution providing for the purchase of land for the Deaf and Dumb Asylum.

No. 122. An act for the relief of William Nothem;

No. 450. An act to legalize the Lafayette and Muncietown State road, in the counties of Clinton and Tipton.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. May, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled:

No. 286. An act to enable the inhabitants of the counties of Huntington and Whitley to construct Plank Roads.

No. 367. An act to legalize the assessment of taxes of Tippecanoe county.

No. 375. An act to extend the time of the sittings of the probate court of Fulton county.

No. 59. An act authorizing an additional number of copies of the Revised Statutes of 1843, to be distributed to the counties of Miami and Adams.

No. 358. An act for the relief of the purchasers of Seminary lands in Monroe county.

No. 374. An act to amend an act, entitled "An act to locate a State road in the counties of Decatur, Jennings, and Bartholomew," approved Jan. 5, 1849.

No. 91. An act to reduce the fees and emoluments of the auditor and treasurer of Steuben county.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

PETITIONS, &C., PRESENTED.

By Mr. Robinson of Laporte,

The petition of sundry citizens of Laporte county, praying for the enactment of a law repealing the appraisement law;

Which,

On motion,

Was referred to a select committee, consisting of
Messrs. Robinson of Laporte, Millikan, and Defrees.

By Mr. Robson,

The claim of Robert B. Duncan, for fees in certain cases ;

Which,

On motion,

Was referred to the committee on claims.

By Mr. Holcomb,

The petition of citizens of Gibson county, relative to a change in
the license law ;

Which,

On motion,

Was laid on the table.

By Mr. Keeney,

The petition of sundry citizens of Noble county, praying for the
reduction of the fees of the Recorder of said county :

Which,

On motion,

Was referred to the committee on the judiciary.

On motion,

Leave was granted to Mr. Mickle to withdraw from the files of
the House the petition of citizens of Adams county, praying for the
removal of the county seat of said county ;

By Mr. Cole,

The petition of citizens of Miami and Wabash counties for a
State road on the line dividing said counties ;

Which,

On motion,

Was referred to a select committee, consisting of
Messrs. Cole, Niblack, and Salter.

Mr. Prather moved to suspend the order of business :

Which motion did not prevail.

By Mr. Hicks,

The petition of sundry citizens of Johnson county, to have the
office of county auditor of said county re-instated ;

Which,

On motion,

Was referred to a select committee, consisting of
Messrs. Hicks, Wells, and Athon.

On motion,

Leave was granted to Mr. Brown of Randolph to withdraw from
the files the petitions and remonstrances of citizens of Randolph
county, on the subject of jurisdiction of justices of the peace.

On motion,

Leave was granted to Mr. Hicks to withdraw from the files of
the House the petition of citizens of Blue River township, in John-
son county, on the subject of temperance.

By Mr. Alley,

Sundry petitions and remonstrances of citizens of Hancock county, relative to establishing a court of common pleas in said county :

Which,

On motion,

Was referred to the select committee on that subject.

By Mr. Dodd,

The petition of citizens of Grant county, to change the name of Uniontown ;

Which,

On motion,

Was referred to a select committee, consisting of

Messrs. Dodd, Carnahan of Posey, and Miller of Marshall and Fulton.

Mr. Russell moved to take from the table House bill No. 426, and make it the special order of the day for to-day at 2 o'clock, P. M. ;

Which motion did not prevail.

By Mr. Stewart,

The petition of citizens of township 17, range 9 east, in the county of Henry, relative to the sale of a certain school section ;

Which,

On motion,

Was referred to a select committee, consisting of

Messrs. Stewart, Summers, and Wilson.

REPORTS FROM COMMITTEES.

Mr. Dougherty of Boone, chairman of the committee on elections, made the following report :

MR. SPEAKER :

The standing committee on elections to whom was referred bill No. 475, entitled "an act changing the mode of electing United States Senator," have had the same under consideration, and directed me to report the same back to the House, without amendment, and recommend its passage :

Which bill was ordered to be engrossed.

Mr. Elder, from the committee on ways and means, made the following report :

MR. SPEAKER :

The committee of ways and means have directed me to report the following bill, and recommend its passage :

No. 491. A bill authorizing the Governor to take an appeal to the Supreme Court in the Patrick McGinley case ;

Which was read a first time and passed to a second reading.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to which was referred a resolution of the House, instructing them to "inquire into the expediency of giving to circuit courts concurrent jurisdiction in the punishment of all offences where the fine is not less than five dollars, and making it a general law," have had the same under consideration, and instructed me to report that, in the opinion of the committee, any law excluding circuit courts from concurrent original jurisdiction in criminal prosecutions when the fine may exceed three dollars, is unconstitutional, and otherwise inexpedient. That there exists no sufficient excuse for local legislation, in relation to prosecutions for offences, to justify a departure from those general rules of practice, which secures to each citizen of the State the same even handed justice, said committee have directed me to report the following bill, and recommend the passage thereof.

No. 492. A bill to amend an act entitled "an act to extend the jurisdiction of justices of the peace in certain criminal cases," approved February 16th, 1848, and to repeal an act entitled "an act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 16th, 1849 ;

Which was read a first and second times, the rule being suspended therefor.

Mr. Dougherty of Boone moved to lay the bill on the table.

Which motion prevailed.

Mr. Cravens, chairman of the committee on military affairs, made the following report :

MR. SPEAKER :

The committee on military affairs, to whom was referred a resolution of the House in relation to the refunding of moneys by the General Government to individuals who have incurred expenses in organizing and transporting volunteers to the place of rendezvous previous to their being mustered and received into the service of the United States for the war with Mexico, have had the same under consideration, and have instructed me to report that by an act of Congress approved June 2d, 1848, ample provisions are made for refunding in all cases moneys expended by State and Counties incorporating, or individuals in the organizations or transportation of volunteers to the place of rendezvous, previous to their being mustered or received into the service of the United States, and also for the paying interest at the rate of six per cent. per annum on all such claims : "Provided, however, That proof shall be made to the satis-

faction of the Secretary of War, of the amount thus expended, and that the same was necessary and proper for the troops aforesaid ;” the committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Whinery, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House No. 479, have had the same under consideration, and instructed me to report the same back with the following amendment, and upon the adoption of which to recommend its passage.

Amend the 13th section by adding the following :

And the President and Directors shall be individually liable for all debts contracted over and above the solvent stock of said Company.

Which amendment was concurred in.

On motion by Mr. Greathouse,

The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred the petition of sundry citizens of Evansville, in Vanderburgh county, praying for the passage of an act authorizing the citizens of said city of Evansville to elect their Attorney, Marshall, and Clerk in the same manner in which they elect their Common Council, have had that subject under consideration, and have directed me to report that it is inexpedient to legislate on that subject at this time, and ask to be discharged from the further consideration of the same.

Which report was concurred in.

Mr. Farnsley, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred Senate bill No. 137, an act for the relief of the Lawrenceburgh and Na-

oleon Turnpike Company, have had the same under consideration, and have directed me to report the same and recommend its passage.

Which bill was ordered to a third reading.

On motion,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House No. 431, entitled "a bill relative to a joint Railroad and joint passenger depot at Indianapolis," have had the same under consideration, and have directed me to report the bill back to the House with one amendment, and which, when adopted, to respectfully recommend the passage of the bill.

Amend section 3d by adding at the end the following words :

And it shall be lawful for any such company to guarantee the bonds of any other such company, and for such other company to execute and mortgage to secure the company so guaranteeing, and the payment of the bonds so guaranteed: *Provided*, That the charge for carrying freight and passengers, on any road so run by said company shall be under the control of the Directors of said road so stocked and run, and such company shall receive and deposite freight and passengers upon such road, to be transported by any other road from the same, upon the same terms as if received or deposited, to be carried on the road of said company so connecting with the road so stocked or run, and no director of any such company running any other road shall be authorized or empowered to act as Director, or vote upon the Board of Directors of any other company whose road is so run, and no such contract to run any such road shall be made to run for a longer term than five years from the time such road shall be ready for business.

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

Mr. Hunter moved to suspend the rule and read the bill a third time.

Which motion did not prevail.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill of the House No. 480, entitled "An act to incorporate the Vincennes and Orleans Railroad Company," have had the same under consideration, and have directed me to report the bill back to the House without amendment, and respectfully recommend its passage.

Which bill was ordered to be engrossed.

Mr. Elder, chairman of the committee on benevolent and scientific institutions, made the following report :

MR. SPEAKER :

The committee on benevolent and scientific institutions to whom was referred a resolution instructing them to "inquire into the expediency of providing for a system of Registration laws, by which there shall be kept a register of the births, marriages, and deaths, of the inhabitants of the several counties of the State," have had the said resolution under consideration, and have directed me to report that, as a bill in relation to the same matter has already been considered by the House, they deem it inexpedient to make any recommendation in regard to it, and ask to be discharged from its further consideration.

When reports from select committees were in order on the 10th inst., the following joint resolution :

No. 139. A joint resolution on the subject of the African Slave trade ;

Was under consideration, and there being no quorum present, the House adjourned, the pending question being on the passage of the joint resolution.

The question being, "Shall the joint resolution pass?"

On motion by Mr. Sherrod,

The joint resolution was laid on the table.

Mr. Gentry, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to which was referred the petition of sundry citizens of Martin county, praying for a State road from Dover Hill in Martin county to Bloomington in Monroe county, have had the same under consideration, and a majority of said committee having instructed me to report that, inasmuch as the granting the prayer of said petitioners would affect the rights of many of the citizens of the counties of Lawrence and Monroe, and said road has not been asked for nor said petition signed, by any of the citizens of said last mentioned counties, and as there is no proof before said

committee that notice was given of the intended application of said petitioners to this Legislature, as required by the Statute in such cases, it is inexpedient at this time to grant the prayer of said petitioners, and recommend that said petitions be laid on the table, and ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Shepard, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of Samuel Errison and others, of Knox county, have had the same under consideration, and have directed me to report the following bill, and ask its passage :

No. 493. A bill to attach certain families to a school district therein named, in the county of Knox ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Salter, from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of sundry citizens of the county of Pulaski, have had the same under consideration, and directed me to report the following bill, and recommend its passage ;

No. 494. A bill to authorize the construction of a dam across the Tippecanoe river, in Pulaski county ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cole, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred sundry petitions of citizens of Miami county, praying for the passage of a law, fixing the salary of the Auditor of said county at five hundred dollars per annum, and also sundry remonstrances against the same, have had the subject under consideration, and have directed me to report the following bill, and recommend its passage :

No. 495. A bill fixing the salary of the Auditor of Miami county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Shelby, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the engrossed bill of the Senate No. 278, entitled " a bill for the punishment of misdemeanors in the town of Lafayette, in Tippecanoe county," have had the same under consideration, and a majority of said committee have instructed me to report the bill back without amendment, and recommend its passage.

Which bill was ordered to a third reading.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered. That the Clerk inform the Senate thereof.

Mr. Dodd, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Union-town, Grant county, have instructed me to report the following bill, and recommend its passage :

No. 496. A bill to change the name of Union-town, in Grant county :

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Wells, from a select committee, made the following report :

MR. SPEAKER :

The select committee to was referred bill of the House No. 386, have had the same under consideration, and ask leave to report it back to the House without amendment, and recommend its passage.

No. 386. A bill to amend the charter of the Ohio and Mississippi Railroad company :

Which was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Ellis, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Jackson and Monroe townships, in Madison county, have had the same under consideration, and have directed me to report the following bill and respectfully recommend its passage :

No. 497. A bill to prohibit the sale of spirituous liquors in Jackson and Monroe townships in Madison county by a less quantity than thirty gallons ;

Was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Robinson of Laporte, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of the county of Laporte, praying a law regulating the interest on money in said county of Laporte, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 498. A bill to regulate the interest on money in the county of Laporte ;

Which was read a first and second times, the rule being suspended therefor.

Mr. Lane moved to indefinitely postpone the bill ;

Which motion did not prevail.

Mr. Edwards moved to amend the third section by inserting in the proper place the following :

“ So far as relates to the county of Laporte.”

Which motion prevailed.

Mr. Alley moved to amend by saying one year from date, and making the law general.

Mr. Allen moved to lay the bill and amendment on the table.

Mr. Prather called for a division of the question.

The question on laying the amendment on the table,

Was decided in the affirmative.

The question being on laying the bill on the table,
Was decided in affirmative.

Mr. Allen moved to take from the table House bill No. 229 ;
Which motion did not prevail.

Mr. Wilson, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred a resolution of this House, referring so much of the Governor's Message as relates to the State Debt, have had the same under consideration, and have directed me to report that further legislative action is unnecessary.

Which report was concurred in.

Mr. Cole, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to which was referred the petition of sundry citizens of Miami and Wabash counties, praying for the location of a State road on the line dividing said counties, have had the same under consideration, and have directed me to report the following bill, and recommend its passage :

N^D. 499. A bill to locate a State road on the line dividing Miami and Wabash counties ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Huey, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred Senate bill, No. 126, in relation to attaching certain territory to the county of Blackford, have had the same under consideration, and after giving the subject much attention, and after having weighed the reasons in favor of and against the bill, and a majority thereof, have concluded that it should pass. The bill provides that the legally qualified voters living in the territory proposed to be attached, at an election to be held for that purpose, shall determine whether the same shall be attached. This your committee deem to be just and right : a majority should govern, and the minority should, under ordinary circumstances, be willing to submit to their action ; and as our county organizations are for the benefit and convenience of the people, and our county lines and boundaries entirely artificial, they may be changed without affecting the interest of any except those living in

the territory transferred. Your committee, therefore, recommend the passage of the bill without amendment.

Mr. Orr, from the same select committee, made the following report on the part of the minority :

MR. SPEAKER :

A minority of the same committee beg leave to report, that it is a fixed principle in all republican and well-organized governments, that the will of the majority, when fairly obtained, should always rule. Surely, then, any act contrary to this well known principle would be subversive of our dearest rights, and could not be considered in any other light than as an act of tyranny and oppression. Presuming on the truth of the principle named, and the correctness of the conclusions as drawn from the same, the minority of your committee would proceed to remark, that they have carefully examined this bill, together with the petition on which it is founded, and the remonstrance thereto. The petition is signed by some sixty persons. The reason given by the petitioners is, that it would be no injustice to Delaware county, and would be to their convenience. One of the remonstrances has some ninety subscribers, who state that they are the *bona fide* owners of and residents in said territory, and that they do not desire any legislation thereon. The second remonstrance is signed by some one hundred and forty or fifty persons (not residing on said territory) who declare that they would consider the granting the prayer of the petitioners as an act of injustice to the people of Delaware county. Your committee think that if the wishes of the people on said territory are to be at all consulted on this subject, it is now as fairly and fully obtained as it ever can be by any other mode, or at any other time. Suppose that all the petitioners are actual residents on this territory at this time, (which is a matter of serious doubt to your committee.) the remonstrants outnumber them by about 30. There is a certificate attached to the petition, which says that this subject has caused much excitement, and been very considerably agitated. This being the case, as shown by the petitioners themselves, proves most conclusively that there has been as fair and as full an expression of the sovereign people's will on this matter as ever can or should be obtained. Why then press this vexed question any further, or in any manner whatever harass those peaceable and quiet citizens that have so emphatically decided this matter in the negative, by a majority of thirty in a vote (of at most) 130? It is sincerely hoped for those reasons alone that this honorable body will not hastily tear open afresh the wounds that the sovereign people have just healed, and in the manner prescribed in the 19th section of the 1st article of the Constitution of the State of Indiana, which is amongst the reserved rights of the people, and over which this Legislature can exercise no just control.

But again. By a vote of the people of Delaware county, lawfully had on the question, the commissioners of Delaware subscribed \$13,000 stock to the Indianapolis and Bellefontaine Railroad, to be paid in several installments. The tax to meet the first payment was levied last summer, but there is no provision, as yet, made for the remaining three-fourths still due, and which the whole county is bound. Now grant the prayer of the petitioners, and other portions of said county opposed to this tax have only to point to this example and ask to be stricken off to some other county, in order to avoid its payment. The minority of your committee believe further that it would (in the language of the remonstrants) be a very great act of injustice to the good people of Delaware county, at war with their best interests, and an infringement of the 18th section of article 1 of the Constitution of this State, which says, that no *ex post facto* law, nor any law impairing the validity of contracts shall ever be made. This is also amongst the reserved rights of the people, and no General Assembly of this State can ever properly exercise any legislative power thereon.

To say nothing at all about the example that it would set to those counties engaged in pressing forward their public works, of any kind whatever, a portion of whom, even at the start, had objected to the undertaking, it is fondly hoped that this case of itself will show most conclusively to this House the injustice it would be to the balance of the county of Delaware, and the impropriety under present circumstances to pass this bill. Further—we would say, that in all corporate bodies (and most assuredly organized counties are of this character) the whole body corporate has the right to be heard on any and all matters touching their general welfare; surely then the cutting off a part of a county's territory is of this nature; therefore it is fondly hoped that this bill will not be suffered to pass without, at least, submitting the matter to the whole people of Delaware county. For many reasons easily given, county lines should only be changed for the very best of causes; those as given by the petitioners, in our opinion, are not of that character.

For those and many other reasons we could easily advance, (but we consider the above altogether sufficient,) to say nothing about the defects of the bill, which to us, at least, are very apparent, the minority of said committee most humbly hope that this bill may not be suffered to pass at this time.

All of which is respectfully submitted to the serious consideration of this House.

SAMUEL ORR,
JAMES A. CRAVENS.

The House proceeded to the consideration of Senate bill No. 126, reported back by the majority of the select committee.

Mr. Orr moved to recommit the bill to the committee on the judiciary, with the following instructions :

"To inquire whether the county of Delaware would not be reduced below the constitutional limits, and therefore whether this Legislature has the right to pass the bill detaching any portion of the territory from said county."

Mr. Huey moved to lay the instructions on the table ;
Which motion prevailed.

Mr. Orr moved to amend the 4th section by adding :

"And provided further, That nothing contained in this act shall be so construed as to prevent the Treasurer of Delaware county from collecting the railroad tax that may become due from said territory to meet the subscription already made by the commissioners of Delaware county, and as now provided for by law."

Mr. Prather moved to lay the bill and pending amendment on the table ;

Which motion did not prevail.

Mr. Huey moved to lay the amendment on the table ;

The ayes and noes being demanded by Messrs. Orr and Prather :

Those who voted in the affirmative were,

Messrs. Alley, Athon, Barker, Beard, Bird, Brown of S., Burnet, Carnahan of F., Carnahan of P., Cleaver, Cotton, Delavan, Elder, Essex, Farnesly, Gentry, Greathouse, Hart, Hicks, Hill, Holcomb, Huey, Humphreys, Landiss, Leviston, Menaugh, Mickle, Miller of M. and F., Niblack, O'Haver, Richardson, Ross, Rush, Salter, Sherrod, Spencer, Thomas, Warriner, Weir, and Mr. Speaker—41.

Those who voted in the negative were,

Messrs. Bowen, Brown of R., Butler, Byers, Caldwell, Chandler, Conaway, Conner, Cravens, Defrees, Dodd, Dougherty of B., Edwards, Ellis, Goodwin, Graves, Harvey, Hillis, Hunter, Johnson, Keeney, Knowlton, Lane, Miller of O., Millikan, Morrison, O'Neal, Orr, Patterson, Prather, Reed, Robinson of D., Robinson of L., Russell, Shelby, Shepard, Stewart, Stoops, Summers, Thom, Tinbrook, Watkins, Weaver, Wells, Whinery, Wright, and Yocum—47.

So the amendment was not laid on the table.

The question then recurring on the amendment ;

The ayes and noes being demanded by Messrs. Orr and Summers :

Those who voted in the affirmative were,

Messrs. Bowen, Brown of Randolph, Burnet, Butler, Byers, Caldwell, Chandler, Conaway, Connor, Cravens, Defrees, Dodd, Dough-

erty of Boone, Edwards, Ellis, Goodwin, Graves, Harvey, Hill, Hillis, Hunter, Johnson, Keeney, Knowlton, Lane, May, Millikan, Morrison, O'Neal, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Russell, Shelby, Shepard, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Watkins, Weaver, Wells, Wilson, Whinery, Wright, and Yocum—50.

Those who voted in the negative were,

Messrs. Alley, Barker, Beard, Bird, Brown of Shelby, Carnahan of Posey, Cleaver, Cotton, Delavan, Elder, Essex, Farnesly, Gentry, Greathouse, Hicks, Holcomb, Huey, Humphreys Landiss, Leviston, Menaugh, Mickle, Miller of Marshall and Fulton, Niblack, O'Haver, Richardson, Ross, Rush, Salter, Sherrod, Spencer, Thomas, Warri-
ner, Weir, and Mr. Speaker—35.

So the amendment was adopted.

On motion by Mr. Stone,

The House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

Mr. Burnett, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and found them correctly enrolled :

No. 238. An act to amend a certain act therein named ;

No. 249. An act to authorize James Taylor to erect a mill dam across Salamony river, in Huntington county ;

No. 215. An act to compel non-residents to pay a road tax equal to that paid by residents in the county of Whitley ;

No. 430. An act granting the right of way to companies in the State of Illinois to construct plank roads in the county of Vermillion, in this State ;

No. 453. An act to change the name of the town of White Hall, in Miami county to that of Waw-pe-cong ;

No. 447. An act to increase the salary of the Probate Judge of Elkhart county ;

No. 446. An act to change the name of Trenton, in the county of Randolph;

No. 444. An act to incorporate the town of Newbern, in Bartholomew county;

No. 441. An act authorizing the election of one additional justice of the peace in Highland township, Vermillion county;

No. 442. An act for the relief of Aaron Wright of Marion county;

No. 439. An act to repeal a certain act therein named, so far as it relates to Randolph county, and to revive certain other laws;

No. 443. An act to attach certain territory to the county of LaPorte;

No. 457. An act to legalize certain proceedings in the Grant-Probate Court;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. May, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled, to-wit:

No. 250. An act to change the name of Mary Bell Niel to Mary Bell Noble;

No. 266. An act to incorporate the "Alamo Sons of Reform," in the State of Indiana;

No. 427. An act to organize an additional school district in the county of Sullivan;

No. 261. An act to vacate a certain alley in the town of West Harrisonville, and a certain street in the town of Mount Pleasant, in the county of Martin;

No. 359. An act to increase the per diem allowance of the probate judge of the probate court of Vermillion county;

No. 337. An act to establish an additional place of holding elections in Eagle township, in Boone county;

No. 85. A joint resolution in relation to the officers and soldiers of the War of 1812;

No. 258. An act to incorporate the Western Plank Road Company;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Hunter,

The order of business was suspended.

Mr. Hunter presented,

The petition of sundry citizens of Marion county, praying for a

charter for a plank road or gravel road from the junction of the Crawfordsville and Lafayette road, with the National road to James Duncan's on the Lafayette road, a distance of eleven miles through Marion county ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Hunter, Robson, and Robinson of Decatur.

Mr. Hillis moved to suspend the order of business ;

Which motion did not prevail.

Mr. Allen moved to suspend the order of business.

Which motion did not prevail.

ORDERS OF THE DAY.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate insist upon their disagreement to the first engrossed amendment of the House to engrossed bill of the Senate,

No. 4. A bill to provide for the calling a convention of the people of the State of Indiana, to revise, amend, or alter the Constitution of said State ;

And that the Senate have appointed Messrs. Hardin and Ellis, a committee of free conference on the part of the Senate, respectfully request that a similar committee may be appointed on the part of the House to take into consideration the disagreement between the two houses relative to said amendment.

Mr. Wilson moved that a committee of free conference be appointed.

Which motion prevailed.

The Speaker appointed Messrs. Cole and Humphreys said committee.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 204. An act to incorporate the Lafayette, Rossville, and Michigan Plank Road Company ;

No. 205. An act to incorporate the "Eel River Bridge Company;"

No. 212. An act for the relief of certain persons therein named, in Warren county ;

- No. 216. An act to incorporate the Point Commerce Bridge Company ;
- No. 234. An act to incorporate the Mixerville Turnpike Company ;
- No. 241. An act to amend the practice in the circuit courts ;
- No. 244. An act to provide for a general index of all deeds in Marion county ;
- No. 251. An act declaring a certain county road therein named, a State road ;
- No. 252. An act authorizing the State Librarian to send surplus copies of public documents to Liberia ;
- No. 253. An act to vacate a certain road in the county of DeKalb ;
- No. 256. An act to change the name of Lawson Brinton, of Pike county, and for other purposes ;
- No. 280. An act to incorporate the Tippecanoe Monumental Association ;
- No. 283. An act to encourage the investment of capital for manufacturing purposes ;
- No. 292. An act for the relief of George Donaldson, of LaGrange county ;
- No. 296. An act to extend the terms of the probate court of Monroe county ;
- No. 297. An act authorizing justices of the peace, in certain cases to perform the duties of coroner ;
- No. 299. An act to change the name of Virginia Young, to that of Virginia McAfee ;
- No. 303. An act to amend an act, entitled "An act to authorize the people of the several counties to prohibit the retailing of spirituous liquors," approved January 28, 1847, so far as the same relates to the counties of Monroe and Brown ;
- No. 304. An act to incorporate the town of Shelbyville, in Shelby county ;
- No. 305. An act to incorporate the Evansville Insurance Company ;
- No. 308. An act to incorporate the Mt. Vernon Insurance Company ;
- No. 311. An act to incorporate the town of Troy, in Perry county ;
- No. 312. An act to locate a State road in the counties of Henry and Delaware ;
- No. 316. An act for the relief of Hugh M. Stevenson and Jan. Wilson, of Wabash county ;
- No. 318. An act to amend chapter 5, article 48, of the revised code ;
- No. 319. An act to incorporate the Cannelton Savings Institution ;
- No. 324. An act to incorporate the Madison and Clifton Water Works ;
- No. 348. An act to amend an act, entitled "An act to incorporate the city of Indianapolis," approved May 27, 1848 ;

No. 368. An act to authorize a company to construct the Manchester and Elizabethtown Turnpike ;

No. 369. An act to amend an act, entitled "An act granting the citizens of Lawrenceburg, a city charter, and for revising and repealing all laws and parts of laws heretofore enacted on that subject ;

No. 375. An act to authorize the Sheriff of Lawrence county to serve process issued by justices of the peace, in certain cases ;

No. 376. An act to re-open a road in Cass county ;

No. 378. An act to change the time of holding probate courts of Dearborn county ;

No. 379. An act to vacate a certain State road in DeKalb county, and for other purposes ;

No. 380. An act to extend the time of the March and June sessions of the board of county commissioners of Cass county ;

No. 382. An act to change the name of the town of Harrisburg, in Hendricks county ;

No. 383. An act to repeal an act, passed January 15, 1844, so far as relates to Fairfield township, in Tippecanoe county ;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of Senate bills, contained in the foregoing message.

No. 204. A bill to incorporate the Lafayette, Rossville, and Michigan Plank Road Company ;

No. 205. A bill to incorporate the Eel River Bridge Company ;

No. 212. A bill for the relief of certain persons therein named, in Warren county ;

No. 216. A bill to incorporate the Point Commerce Bridge Company ;

No. 234. A bill to incorporate the Mixerville Turnpike Company ;

No. 241. A bill to amend the practice in the circuit courts ;

No. 244. A bill to provide for a general index of all deeds in Marion county ;

No. 251. A bill declaring a certain county road therein named, a State road ;

No. 252. A bill authorizing the State Librarian to send surplus copies of public documents to Liberia ;

No. 253. A bill to vacate a certain road in the county of DeKalb ;

No. 256. A bill to change the name of Lawson Brinton, of Pike county, and for other purposes ;

Were severally read a first time and passed to a second reading.

No. 280. A bill to incorporate the Tippecanoe Monumental Association ;

Was read a first time.

On motion by Mr. Shelby,

The rule was suspended, the bill read a second and third times, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 283. A bill to encourage the investment of capital for manufacturing purposes ;

No. 292. A bill for the relief of George Donaldson, of Llangrango county ;

Were each read a first time and passed to a second reading.

No. 296. A bill to extend the terms of the probate court of Monroe county ;

Was read a first time.

On motion by Mr. Gentry,

The rule was suspended, the bill read a second time and referred to a select committee consisting of

Messrs. Gentry, Spencer, and Niblack.

No. 297. A bill authorizing justices of the peace, in certain cases, to perform the duties of coroner ;

No. 299. A bill to change the name of Virginia Young, to that of Virginia McAfee ;

No. 303. A bill to amend an act, entitled "An act to authorize the people of the several counties to prohibit the retailing of spirituous liquors," approved January 28, 1847, so far as relates to the counties of Monroe and Brown ;

Were severally read a first time and passed to a second reading.

No. 304. A bill to incorporate the town of Shelbyville, in Shelby county ;

Was read a first time.

On motion by Mr. Brown of Shelby,

The rule was suspended and the bill read a second time and referred to the committee on corporations.

No. 305. A bill to incorporate the Evansville Insurance Company ;

Was read a first time.

On motion by Mr. Carnahan of Posey,

The rule was suspended and the bill read a second time.

On motion by Mr. Greathouse,

The rule was suspended and the bill read a third time.

Mr. Reed moved to refer the bill to the committee on corporations, with the following instructions :

"To inquire whether said bill is sufficiently guarded so far as the public interest is concerned, and also to amend said bill in such manner as they may think proper ;"

Which motion prevailed.

No. 308. A bill to incorporate the Mount Vernon Insurance company ;

Was read a first time.

On motion by Mr. Carnahan of Posey,

The rule was suspended, and the bill read a second time, and

Referred to a select committee consisting of

Messrs. Carnahan of Posey, Thomas, and Warriner.

No. 311. A bill to incorporate the town of Troy in Perry county ;
Was read a first time.

On motion by Mr. Connor,

The rules were suspended, and the bill read a second time and ordered to a third reading.

No. 312. A bill to locate a State road in the counties of Henry and Delaware ;

Was read a first time.

On motion by Mr. Summers,

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 316. A bill for the relief of Hugh M. Stephenson and James Wilson of Wabash county ;

No. 318. A bill to amend chapter 5, article 48, of the Revised Code ;

Were each read a first time and passed to a second reading.

No. 319. A bill to incorporate the Cannelton Savings Institutions ;

Was read a first time.

On motion by Mr. Connor,

The rule was suspended, the bill read a second time, and Referred to a select committee consisting of Messrs. Connor, Hillis, and Prather.

No. 324. A bill to incorporate the Madison and Clifton Water Works ;

Was read a first time.

On motion by Mr. Hillis,

The rule was suspended, the bill read a second time, and Referred to a select committee consisting of Messrs. Hillis, Thom, and Bowen.

No. 348. A bill to amend an act entitled "an act to incorporate the city of Indianapolis," approved May 27th, 1848 ;

Was read a first time.

On motion by Mr. Hunter,

The rules were suspended and the bill read a second time.

Mr. Hunter moved to further suspend the rule and read the bill a third time ;

Which motion did not prevail.

The bill was then ordered to a third reading.

No. 368. A bill to authorize a company to construct the Manchester and Elizabethtown Turnpike ;

No. 369. A bill to amend an act entitled "an act granting the citizens of Lawrenceburg a city charter, and for revising and repealing all laws and parts of laws heretofore enacted on that subject ;

No. 375. A bill to authorize the sheriff of Lawrence county to serve process issued by justices of the peace in certain cases ;

No. 376. A bill to re-open a road in Cass county ;

Were severally read a first time and passed to a second reading.

On motion by Mr. Weir,

Messrs. Graves, Whinery, Gessie, and Spencer were added to the committee on enrolled bills.

No. 378. A bill to change the time of holding Probate Courts of Dearborn county ;

No. 379. A bill to vacate a certain State road in Dekalb county, and for other purposes ;

No. 380. A bill to extend the time of the March and June sessions of the Board of County Commissioners of Cass county ;

Were severally read a first time, and passed to a second reading.

No. 382. A bill to change the name of the town of Harrisburgh, in Hendricks county ;

Was read a first time.

On motion by Mr. Russell,

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 383. A bill to repeal an act, passed January 14th, 1844, so far as relates to Fairfield township, in Tippecanoe county ;

Was read a first time.

On motion by Mr. Shelby,

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

The Speaker laid before the House the following communication from his Excellency, the Governor:

EXECUTIVE DEPARTMENT, }
January 14th, 1850. }

HON. G. W. CARE,

Speaker of the House of Representatives:

Please lay before the body over which you preside the inclosed letter from Hon. James Whitcomb, relative to the employing of counsel in the claim of Beard vs. State of Indiana :

Respectfully,

JOSEPH A. WRIGHT.

WASHINGTON CITY, January 7th, 1850.

DEAR SIR :— Soon after the case of Beard and Beard against the State was decided for the claimants, by the Commissioners appointed under the act for their relief, it seemed to me, from an inspection of a copy of the proceedings, and other information, that other views might be taken of the case than those which seemed to have occurred to the counsel I had previously employed (Hon. A. S. White), and which were more favorable to the State. By my direction therefore, an appeal was taken to the Tippecanoe Circuit Court. Soon after the appeal was taken, the claimants themselves took an appeal to the Tippecanoe Court of Common Pleas, which, holding the earliest session, decided to take jurisdiction of the cause. It appeared difficult, if not impracticable, to convey my views, with the arguments in support of them, fully, by letter, and I felt it necessary to employ additional counsel, with whom I could fully and freely converse upon the whole subject. Accordingly, I employed Judge Wick (leaving his compensation to be fixed by the Legislature), who went to Lafayette where the court was held, aided Mr. White in the defence, and, pursuant to my instructions, kept the proceedings in preparation for another appeal, if the decision of the Court should again require it, and then, on an adverse decision being given, took the appeal to the Supreme Court. My employment of Judge Wick extended to his services in the Supreme Court, should the cause reach that tribunal, and he informs me that he has aided in the cause here also.

You are aware that the judgment against the State has been finally reversed by the Supreme Court, on the merits, which, of course, puts an end to the whole matter. This has saved the State a large sum of money (nearly or about \$14,000, the amount of the judgment reversed), and in view of that and the labor employed, I regard Judge Wick as well entitled to a liberal compensation, his journey to Lafayette being out of the usual line of his business.

My impression is, that Mr. White, as the counsel originally employed for the State, was, by the terms of the special act, to be paid by the claimants for his services, the amount to be fixed by the Commissioner, and that he has been so paid, or at least for his services before that officer. Whether the obligation rested on them to pay him for his services in the other courts also, can be ascertained, I presume, by reference to the terms of the special act referred to, which will be found in the volume of "Local Laws," passed at the session of 1847-8. I have taken the liberty, on request, to make this communication to you, to enable you to lay it before the Legislature, in order that a suitable compensation may be made in the premises, before final adjournment.

I am, very respectfully,

Your obedient servant,

JAMES WHITCOMB.

Gov. WRIGHT, }
Indianapolis, Ind. }

HOUSE BILLS ON THEIR SECOND READING.

No. 2. A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations.

The question being on concurring in the amendment of the committee to the bill;

Mr. Chandler moved to concur, with the following amendment :

Amend the 6th section of the bill by adding thereto the following :

"Provided, however, That from the whole amount of all the value of each person's personal property and moneys, &c., he shall deduct the whole amount of his debts, and he shall be liable to pay tax for the balance only;"

Which motion prevailed.

Mr. Mickle moved to amend as follows :

Sec. 2. 5th line, after the word "him," insert "or left at his usual place of residence ;"

Sec. 5. 2d line, after the word "shall," insert "beside being liable on his bond ;"

Which amendment was adopted.

Mr. Cole offered the following amendment :

Amend by inserting after the word "estate," in the 25th line of the 6th section, the words "subject to taxation ;"

Which was adopted.

Mr. May offered the following amendment :

Amend section 11 by inserting after the words "*mentioned in this act,*" the following words : "or for the manner of paying township assessors ;"

Which was not adopted.

On motion,

Leave of absence was granted Messrs. Cole and Humphreys for the remainder of the evening, to enable them to sit in committee of free conference.

Mr. Hillis offered the following amendment :

Sec. 6. Amend by adding the following :

"Said assessor, when said list is made out, shall require each and every person to swear that the schedule made out, as aforesaid, is correct, to the best of his knowledge and belief."

On motion by Mr. Shepard,

The amendment was laid upon the table.

Mr. Alley offered the following amendment :

Amend 6th section, after 8th line by adding—

“What is the number and value of your horses?”

Which was adopted.

Mr. Orr offered the following amendment :

Sec. 6. Add at the end of the 25th line—

“Of not less than one year’s standing :

Which was adopted.

Mr. Wilson offered the following amendment :

Add after the last section the following :

Sec. —. That the fourth paragraph of section 5 of 12th chapter of the Revised States, be, and the same is hereby, repealed, and that all lands sold after the passage of this act by the General Government, shall be subject to taxation as other lands.

Mr. Cotton moved to lay the amendment on the table ;

Which motion prevailed.

Mr. Prather moved to lay the bill upon the table.

The ayes and noes being demanded by Messrs. Warriner and Carnahan of Posey,

Those who voted in the affirmative were,

Messrs. Athon, Barker, Bird, Bowen, Brown of Shelby, Butler, Byers, Caldwell, Campbell, Carnahan of Fountain, Cleaver, Connor, Cravens, Defrees, Dodd, Dougherty of Boone, Edwards, Essex, Farnesly, Gessie, Goodwin, Greathouse, Hill, Hillis, Leviston, May, Menaugh, Miller of Owen, Millikin, Niblack, O’Neal, Prather, Richardson, Rush, Russell, Salter, Shelby, Sherrod, Stone, Summers, Thom, Weaver, and Weir—42.

Those who voted in the negative were,

Messrs. Allen, Alley, Brown of Randolph, Carnahan of Posey, Chandler, Conaway, Cotton, Delavan, Dougherty of Elkhart, Elder, Ellis, Gentry, Graves, Harney, Hart, Harvey, Hicks, Holcomb, Huey, Hunter, Johnson, Keeney, Knowlton, Landiss, Lane, Mickle, Miller of Marshall and Fulton, Morrison, O’Haver, Orr, Patterson, Reed, Robinson of Laporte, Ross, Shepard, Spencer, Stewart, Stoops, Thomas, Tinbrook, Warriner, Watkins, Wells, Wilson, Whinery, Wright, Yocum, and Mr. Speaker—46.

So the bill was not laid on the table.

Mr. Lane moved to amend the 6th section so as to regard the person assessed to swear to his list of property, but not to the amount ;

Which motion did not prevail.

Mr. Dougherty of Elkhart moved to amend by adding the following to the 6th section :

“What is the amount and value of your wheat, rye, corn, oats, potatoes, hay, flour, and bacon now on hand?”

Mr. Carnahan of Posey called for the previous question ;
Which was seconded by the House.

The question being,

Shall the main question be now put?

Was decided in the affirmative.

The question then recurring on the main question, which was,
Shall the bill be engrossed?

The ayes and noes being demanded by Messrs. Dougherty of Boone and Dougherty of Elkhart,

Those who voted in the affirmative were,

Messrs. Allen, Alley, Barker, Burnet, Carnahan of Posey, Chandler, Conaway, Cotton, Delavan, Edwards, Elder, Ellis, Gentry, Goodwin, Graves, Harney, Hart, Harvey, Hicks, Hunter, Johnson, Keeney, Knowlton, Landiss, Lane, Mickle, Miller of M. and F., Miller of Owen, Morrison, O'Haver, Orr, Patterson, Reed, Robinson of Decatur, Robinson of Laporte, Ross, Spencer, Stewart, Stoops, Summers, Thomas, Tinbrook, Warriner, Watkins, Wells, Whinery, and Yocum—47.

Those who voted in the negative were,

Messrs. Athon, Beard, Bird, Bowen, Brown of Randolph, Brown of Shelby, Butler, Byers, Campbell, Carnahan of F., Connor, Cravens, Defrees, Dodd, Dougherty of Boone, Dougherty of Elkhart, Essex, Farnesly, Gessie, Greathouse, Hill, Hillis, Holcomb, Huey, Leviston, May, Menaugh, Niblack, O'Neal, Prather, Richardson, Robson, Rush, Russell, Salter, Shelby, Shepard, Sherrod, Stone, Thom, Weaver, Weir, Wilson, Wright, and Mr. Speaker—46.

So the bill was ordered to be engrossed.

Mr. Carr moved to take up the following House bill :

No. 318. A bill attaching a part of the county of Jackson to the county of Lawrence ;

Was read a second time.

The question then recurring on the engrossment of the bill,

Mr. Wells moved to indefinitely postpone the bill ;

Which motion prevailed.

Mr. Hillis moved that the order of business be suspended ;

Which motion did not prevail.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, without amendment :

No. 45. An act to amend the 42d section of the revised road law of 1849.

Mr. Whinnery, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled :

No. 63. An act in relation to Lamasco city.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Whinery, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills, with the engrossed bills of the House, and find the same correctly enrolled, to-wit :

No. 245. An act to amend an act entitled "an act to incorporate the town of Franklin, Johnson county, Indiana, passed January 15, 1838 ;

No. 299. An act to incorporate the Noblesville Bridge Company ;

No. 299. An act to authorize the County Commissioners of the county of Pike to levy a road tax, so far as the same relates to the county of Pike.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Whinery, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House and find the same correctly enrolled, to-wit :

No. 114. An act to incorporate the Jasper County Plank Road Company ;

No. 34. An act to incorporate the White County and Monticello Bridge Company.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Dodd,
The House adjourned.

TUESDAY MORNING, 9 O'CLOCK, JANUARY 15, 1850.

The House met.

Mr. Patterson moved to dispense with reading the journal.
Which motion prevailed.

On motion by Mr. Wright,
The order of business was suspended.
Mr. Wright offered the following resolution :

Resolved, That the judiciary committee be instructed to inquire into the expediency of making a change in the present law concerning the time of closing the polls in the several counties of this State.

Mr. Niblack moved to strike out "judiciary," and insert "elections."
Which amendment was accepted by Mr. Wright.
The resolution as amended was adopted.

On motion by Mr. Shepard,
The order of business was suspended.

On motion by Mr. Shepard,

Resolved, That this House will meet during the remainder of this session at 8½ o'clock, A. M., and 1½ o'clock, P. M.

PETITIONS, &C., PRESENTED.

By Mr. Wells,
The petition of Samuel J. Murphy and others, relative to the Fischli estate ;

Which,

On motion,

Was referred to a select committee consisting of

Messrs. Wells, Athon, and Connor.

By Mr. Beard,

The petition of sundry citizens of Wayne county, relative to the license of peddlars;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Beard, Elder, and Robinson of Decatur.

REPORTS FROM COMMITTEES.

Mr. Mickle, chairman of the committee of ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means, to whom was referred sundry communications relative to the three per cent. fund, have had the same under consideration, and have instructed me to report the same back, as action on the part of the committee is superseded by the House, the House having authorized our Senators in Congress to attend to the matter; your committee ask to be discharged from a further consideration of the subject.

Which report was concurred in.

Mr. O'Haver, from the committee on ways and means, made the following report :

MR. SPEAKER :

The committee of ways and means, to whom was referred No. 23, a bill to provide for the election of a township assessor in the county of Greene, have instructed me to report the same back—the action of the House in relation thereto having superseded the necessity of action by the committee; the committee ask to be discharged from a further consideration of the subject.

Which report was concurred in.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred bill of the Senate No. 179, entitled "an act to change the time of holding the Hancock Circuit Court," have had the same under consideration, and directed me to report the same back to the House, and inasmuch as said committee are not advised of the times of holding

the courts in the several counties in the circuit interested in the said bill, they most respectfully recommend that it be referred to a select committee of one from each county in the fifth judicial circuit, and the committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

The Speaker appointed Messrs. Alley, Dougherty of Boone, Brown of Shelby, Russell, Harvey, Hunter, and Hicks said committee.

On motion by Mr. Niblack,

The order of business was suspended.

Nr. Niblack introduced

No. 500. A bill to authorize the appointment of a Private Secretary to the Governor ;

Which was read a first time and passed to a second reading.

On motion,

The rule was suspended and the bill read a second time.

Mr. Whinery moved to refer the bill to the committee of ways and means ;

Which motion did not prevail.

Mr. Prather moved to lay the bill on the table ;

On motion by Mr. Niblack,

A call of the House was ordered.

After some time spent in the call, it appeared that a quorum was present.

On motion by Mr. Shepard,

The further call of the House was dispensed with.

The question then recurring,

On laying the bill on the table ;

The ayes and noes being demanded by Messrs. Prather and Whinery :

Those who voted in the affirmative were,

Messrs. Alley, Beard, Bowen, Burnet, Butler, Byers, Carnahan of Fountain, Chandler, Connor, Defrees, Delavan, Elder, Goodwin, Graves, Harvey, Hill, Hillis, Keeney, Lane, Miller of Owen, Millikan, Morrison, O'Neal, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Shepard, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Weir, Whinery, and Wright—40.

Those who voted in the negative were,

Messrs. Athon, Barker, Bird, Brown of Randolph, Brown of Shelby, Caldwell, Campbell, Carnahan of Posey, Cleaver, Conaway, Cotton, Cravens, Dodd, Dougherty of Boone, Dougherty of Elkhart,

Edwards, Ellis, Essex, Farnesly, Gentry, Gessie, Greathouse, Harney, Hart, Hicks, Holcomb, Huey, Johnson, Landiss, Leviston, May, Menaugh, Mickle, Miller of Marshall and Fulton, Niblack, O'Haver, Patterson, Richardson, Robson, Ross, Salter, Sherrod, Spencer, Thomas, Warriner, Watkins, Weaver, Wells, Wilson, Yocum, and Mr. Speaker—51.

So the bill was not latd on the table.

Mr. Niblack moved to suspend the rule and read the bill a third time ;

Which motion did not prevail.

The bill was then ordered to be engrossed.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee, on the judiciary to which was referred bill of the Senate No. 123, entitled "an act to amend section 21, article 2, chapter 46, of the revised statutes of 1843," have considered said bill, and directed me to report the same back to the House, and recommend that it be indefinitely postponed.

Which report was concurred in.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred Senate bill No. 125, in regard to charitable bequests, &c., have had the same under consideration, and have directed me to report the same back, without amendment, and to recommend its passage.

Which bill was ordered to a third reading.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred a resolution of the House, instructing said committee to inquire and report to the House "whether all former Agents of State have not taxed to the State incidental expenses incurred while attending to business foreign to their official duties ; and, also, whether they have not taxed the State with extravagant incidental expenses while attending to their proper official duties, and whether they are liable on their official bond for said extravagant and other expenses incurred while

attending to business not connected with their official duties," have instructed me to report to this House, that since said resolution was referred to the committee, have not had time to make the inquiry, nor will they have the time to do so during the balance of this session, and if that duty were performed, it would be too late for the action of this General Assembly; and, therefore, ask to be discharged from further consideration of the subject.

Which report was concurred in.

Mr. Brown of Shelby, from the committee on the judiciary made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred bill of the House No. 471, have, according to direction, had that subject under consideration, and directed me to report that, in the opinion of said committee, legislation on that subject is unnecessary, and recommend that said bill be indefinitely postponed.

Which report was concurred in.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred a petition from sundry citizens of Elkhart, praying for the extension of the jurisdiction of justices of the peace in the county of Elkhart, have had the same under consideration, and as it does not appear from said petition that a majority or any thing like a majority of the people of said county are desirous of the change prayed for, your committee therefore deem it inexpedient to legislate upon the subject, and respectfully ask to be discharged from a further consideration thereof.

Which report was concurred in.

Mr. Chandler, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred Senate bill No. 98, entitled "an act to repeal an act authorizing jailors to discharge prisoners in certain cases," have had the same under consideration, and have instructed me to report it back to the House with the following amendments, and recommend its passage :

Add the following two sections :

Sec. 2. Should any defendant against whom any fine is assessed before any circuit court, neglect, fail, or refuse to pay the fine and costs, said court may commit him to the proper gaol of the county, there to remain until discharged by law: *Provided, however,* That when said court shall be satisfied by satisfactory proof that such defendant is unable to pay or replevy such fine and costs that it shall be discretionary with said court either to discharge said defendant from custody, or to confine him or her in the county gaol of the proper county, for any term of time not exceeding one day for every fifty cents of such fine: *And provided further,* That execution may still issue on said judgment against the goods and chattles, lands, and tenements of the defendant: *And provided,* That the costs of keeping said defendant in the county gaol, as provided in the second and third sections of this act, shall be taxed up, with the costs in said cause, and shall be collected as the other costs in said cause, and for which the county shall be a preferred auditor.

Sec. 4. That the 65th section of chapter 54, of the Revised Statutes of 1843, is hereby repealed.

Which amendments were concurred in.

The bill as amended was ordered to a third reading.

Mr. Carnahan of Fountain, from the committee on the judiciary made the following report:

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill No. 383, entitled "a bill to provide for the appointment of guardians for children whose parents have become insane," have had the same under consideration, and have instructed me to report the same back without amendment, and recommend its passage.

Which bill was ordered to be engrossed.

On motion by Mr. Shelby,

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Chandler, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 470, entitled "an act to authorize suits to be brought in the name of the State of Indiana, upon the relation of the County Auditors in certain cases," have had the same under consideration, and have in-

structed me to report the same back with the following amendment, and recommend its passage :

Strike out the bill from the enacting clause, and insert the following :

That the County Auditors of the several counties shall be, and they are hereby authorized to institute suit, and prosecute to final judgment and execution, in the name of the State of Indiana, on the relation of said County Auditor against both principal and securities, upon all notes, bonds, writing obligatories, mortgages, or other obligations now remaining in the hands of any such Auditor or agents of the surplus revenue of their respective counties which have heretofore been taken by any agent of said surplus revenue, and made payable to such agent in his own individual name, as agent of the surplus revenue, under the act of the legislature entitled "an act for distributing so much of the surplus revenue of the United States, or the State of Indiana, may be entitled to and receive, by virtue of an act of Congress, approved June 22d, 1836," approved February 6th, 1837.

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred Senate bill No. 91, entitled "an act to amend the 138th section, of the 45th chapter, of the revised statutes of 1843," have considered the same, and directed me to report it to the House, and recommend its passage.

Which bill was ordered to a third reading.

Mr. Cole, from the committee of free conference on the part of the House, on Senate bill No. 4, made the following report :

MR. SPEAKER :

The committee of free conference on the part of the House, on the disagreement of the Senate to the amendment of the House on Senate bill No. 4, entitled "a bill to provide for the call of a convention of the people of the State of Indiana to revise, amend, or alter the constitution of said State," have had two several conferences with the committee on the part of the Senate, and have directed me to report, that after duly considering said question of disagreement, the committee on the part of the House were unable to agree with the committee on the part of the Senate ; and they, therefore, refer the matter back to the House for such action as

may be proper, and ask to be discharged from the further consideration of the same.

A. A. COLE,
ANDREW HUMPHREYS.

Which report was concurred in.

Mr. Graves, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House No. 468, entitled "a bill authorizing the transfer of the liens of mechanics and others on buildings," would respectfully report that they have had said bill under consideration, and have instructed me to report the same back to the House, with one amendment, upon the adoption of which, the respectfully recommend the passage of the bill.

Amend by inserting the following :

Sec. 2. Such transfer and assignment shall be in writing, entered upon the margin of the record, in the proper recorder's office, of the notice of intention to hold such lien, or elsewhere, upon the records of such office with proper notes and references to the page containing the same, placed in the margin of the record of such notice; which entry shall be signed by the person or persons so transferring the same, and shall be attested by the recorder, or his deputy; and a similar transfer and assignment shall also be entered upon the original copy of the notice of intention filed in such office, if the same shall still be upon the files of such office, or in the possession of the parties making the transfer, and after such assignment thereon, the same shall be left upon the files of such office.

Which amendment was concurred in.

On motion by Mr. Delavan,

The rule was suspended and the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Prather,

The order of business was suspended.

Mr. Prather introduced

No. 501. A bill explanatory of an act to amend an act, approved February 12, 1848, providing for the election of township assessors and township collectors in Jennings county, and for other purposes;

Which was read a first and second times, the rule being suspended therefor.

On motion by Mr. Prather,

The bill was amended by inserting in the proper place "so far as relates to the county of Jennings."

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Shelby moved to suspend the order of business ;

Which motion did not prevail.

Mr. Goodwin moved to suspend the order of business ;

Which motion did not prevail.

Mr. Athon, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The standing committee on claims to whom was referred the account of S. J. Patterson against Bazil Brown, late Superintendent of the Northern Division of the Central Canal, have had the same under consideration, and have instructed me to report that the Superintendent of said canal is fully authorized to adjust such claims, and, therefore, it is considered inexpedient to legislate upon the subject, and ask to be discharged therefrom.

Which report was concurred in.

Mr. Farnesly, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred Senate bill No. 281, "an act to incorporate the Ohio River, Princeton, and Petersburg Plank Road Company," have had the same under consideration, and directed me to report the same, with one amendment, after the adoption of said amendment, to recommend its passage.

Amend by adding to the end of section 32, the following :

"At the expense of said company."

Which amendment was concurred in.

The bill as amended was ordered to a third reading.

SELECT COMMITTEES.

When reports from select committees were in order on yesterday the following Senate bill having been reported back by a select committee was under consideration :

No. 126. A bill to attach certain territory to the county of Blackford;

Mr. Mickle moved to amend by inserting in the proper place, the following :

Provided, however, That the said tax payers shall be entitled to draw their *pro rata* of every and all dividends that may be declared by said company."

Mr. Orr moved to indefinitely postpone the bill.

The ayes and noes being demanded by Messrs. Mickle and Huey :

Those who voted in the affirmative were,

Messrs. Athon, Caldwell, Carnahan of Posey, Chandler, Conway, Cravens, Defrees, Dodd, Edwards, Ellis, Essex, Gessie, Goodwin, Hart, Hicks, Hunter, Keeney, Knowlton, Lane, Morrison, Orr, Prather, Robinson of Laporte, Russell, Shelby, Stewart, Summers, Thom, Tinbrook, Wells, and Wright—31.

Those who voted in the negative were,

Messrs. Allen, Alley, Barker, Beard, Bird, Brown of Randolph, Brown of Shelby, Burnet, Butler, Cleaver, Cotton, Delavan, Dougherty of Elkhart, Elder, Farnesley, Gentry, Graves, Harney, Harvey, Hill, Holcomb, Huey, Humphreys, Johnson, Landiss, Leviston, May, Menaugh, Mickle, Miller of Marshall and Fulton, O'Haver, Patterson, Reed, Richardson, Robson. Ross, Rush, Salter, Shepard, Spencer, Stoops, Thomas, Warriner, Weir, Wilson, Yocum, and Mr. Speaker—47.

So the bill was not indefinitely postponed.

Mr. Huey called the previous question.

Which was seconded by the House.

The question then being, shall the main question be now put?

Was decided in the affirmative.

The question then being on the main question, which was,

"Shall the bill be ordered to a third reading?"

The ayes and noes being demanded by Messrs. Orr and Summers :

Those who voted in the affirmative were,

Messrs. Allen, Alley, Barker, Beard, Bird, Brown of Randolph, Brown of Shelby, Burnet, Byers, Carnahan of Posey, Chandler, Cleaver, Connor, Cotton, Delavan, Dougherty of Elkhart, Elder, Farnesley, Gentry, Greathouse, Harvey, Hill, Holcomb, Huey, Humphreys, Johnson, Landiss, Leviston, May, Menaugh, Mickle, Miller of Marshall and Fulton, O'Haver, Orr, Patterson, Reed, Richardson, Ross, Rush, Salter, Shepard, Sherrod, Spencer, Stoops, Thomas, Warriner, Weir, Wilson, Yocum, and Mr. Speaker—50.

Those who voted in the negative were,

Messrs. Caldwell, Conaway, Cravens, Defrees, Dodd, Edwards, Ellis, Essex, Goodwin, Harney, Hart, Hicks, Hunter, Keeney, Knowlton, Lane Morrison, Robinson of Laporte, Robson, Russell, Shelby, Stewart, Summers, Thom, Tinbrook, Watkins, Wells, and Whinery—27.

So the bill was ordered to a third reading.

Mr. Gentry, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred Senate bill No. 296, "An act to extend the terms of the Probate Court of Monroe county, have had the same under consideration, and beg leave to report the same back with the following amendments, and when so amended to recommend its passage :

Amend as follows :

In the first section strike out the words "two weeks," and in their place insert the following, "*nine days.*"

Add between 1st and 2d sections the following section :

Section 2. That the Probate Judge, and County Commissioners of said county of Monroe shall from and after the passage of this act each be entitled to the sum of two dollars per day, for their services as such.

Also, strike out "2" the number of the second section, and in its place insert 3, and to the end of said section add the following, viz :

And all acts and parts of acts contravening any of the provisions of this act, be and the same are hereby repealed so far as relates to the county of Monroe.

Which amendments were concurred in.

On motion by Mr. Gentry,

The rule was suspended, the bill read a third time, and passed.

On motion by Mr. Spencer,

The title was amended by adding, "and for other purposes."

Ordered, That the Clerk inform the Senate of the passage of said bill.

Mr. Hunter, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Marion county, praying a charter for a Plank or Gra-

vel Road from the junction of the Crawfordsville and Lafayette roads with the National road to James Duncan's, on the Lafayette road west of Eagle creek, a distance of eleven miles, and to build a bridge across Eagle creek for the use of said Company, have had the same under consideration, and have directed me to report the accompanying charter and recommend its passage :

No. 502. A bill to incorporate the Eagle Creek Plank Road Company in Marion county ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Was referred to the committee on corporations.

Mr. Niblack, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to which was referred the petition of sundry citizens of the counties of Orange, Martin, Daviess, and Greene, praying for a State road from Orleans, in Orange county by the way of Harrisonville and Christian Keck's store, in Martin county, to Newberry, in Greene county, have had the same under consideration, and have instructed me to report the accompanying bill, and respectfully recommend its passage :

No. 503. A bill to locate a State road from Orleans, in Orange county, to Newberry, in Greene county ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Stewart, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of the county of Henry, in relation to the sale of certain school lands in said county, have had the same under consideration, and directed me to report the following bill, and recommend its passage :

No. 503. A bill to authorize the Auditor of Henry county, to sell a certain tract of land belonging to the school fund in said county ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Thom, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill No. 324, entitled "An act to incorporate the Madison and Clifton Water Works," after due deliberation, have directed me to report it back to the House, without amendment, and respectfully recommend its passage.

Which bill was ordered to a third reading.

On motion by Mr. Hillis,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Carnahan of Posey, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred Senate bill, No. 308, entitled "An act to incorporate the Mount Vernon Insurance Company," have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend its passage, and ask to be discharged from any further consideration of the subject.

Which bill was ordered to a third reading.

On motion by Mr. Carnahan of Posey,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Butler, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the resolution inquiring into the expediency of abolishing the office of Agent of State, &c., have had the subject under consideration and have authorized me to make the following report :

To collect such information as will enable the House to determine upon the subject, in such manner as to preserve the honor and credit of the State—to secure it from unnecessary expenditures and from its present liability to be imposed upon by corrupt and designing men, has been the object of your committee.

The duties of the Agent of State, might be easily dispensed with, as required in the revised statutes of 1843, without any material loss or inconvenience to the State ; but additional duties are imposed upon him by the act to provide for the Funded Debt of the State, &c., approved January 19, 1846, and the supplement thereto, approved January 27, 1847.

The State debt, provided for in the above acts was created, under the several acts herein mentioned, for the purpose of carrying on a general system of internal improvements. The inflated currency and the apparent prosperity of the country led the State into this almost fatal error, which now hangs like an incubus upon the prosperity of the State :

STATE DEBT.

Bonds issued for the Wabash and Erie Canal, under act of January 9, 1832, - - - - -	\$200,000
Under act February 1, 1834, - - - - -	400,000
Under act February 6, 1835, - - - - -	227,000
Under act January 27, 1836, - - - - -	500,000
Under act February 19, 1838, - - - - -	400,000
Total, - - - - -	\$1,727,000

Bonds issued for the Lawrenceburg and Indianapolis Railroad, January 27, 1836, - - - - -	\$221,000
Bonds issued for the Madison and Indianapolis Railroad, February 6, 1833, - - - - -	456,000
Bonds issued for the State Bank of Indiana, under charter and act of February 12, 1839, - - - - -	2,413,000
Bonds issued for Internal Improvement system, under act of January 27, 1836, - - - - -	8,900,000
Bonds issued for 4th instalment of Surplus Revenue, under act, - - - - -	294,000
Bonds (7 per cent.) issued to interest on bonds under act, - - - - -	1,100,000
Making total amount issued, - - - - -	\$15,111,000

Of this amount has been redeemed and cancelled,	\$1,609,000
The Bank pays interest and is to pay principal on	1,390,000
Seven per cent. bonds issued but never sold, - - -	1,064,000

Making, - - - - -	\$4,063,000
Which deduct from the total amount of bonds issued, viz: \$15,111,000, leaves total amount of bonds outstanding, prior to surrender, January 1, 1847, under the State Debt arrangement, - - - - -	11,048,000

(d) Amount of the above for which the State has received no consideration, - - - - -	3,127,756 26
Interest on the same from January 1, 1841, to January 1, 1847, at 5 per cent., - - - - -	938,326 67

Principal and interest for which the State has received no consideration, - - - - -	\$4,066,083 13
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These bonds were sold on time, by the Fund Commissioners, to irresponsible purchasers and sureties, which proved to be merely nominal, were taken, for which the State has realized a small amount.

(m) Indebtedness for which the State has received	
valuable consideration, - - - - -	\$7,920,243 74
Interest on \$7,787,243 74, at 5 per cent., for 6 years, 2,335,273 12	
Interest on \$100,000, Wabash and Erie Canal bonds,	
for 6 years, at 6 per cent., - - - - -	36,000 00
Interest on \$36,000, for 4½ years, at 7 per cent., -	11,340 00
<hr/>	
Total amount of interest on \$7,920,243 74, is	\$2,382,613 12
Making a total of principal and interest for which the	
State has received valuable consideration, -	10,302,856 86
To which add, - - - - -	4,066,083 13
<hr/>	
To amount of indebtedness, - - - - -	\$14,368,939 99

(n) The Bonds for which the State has received no consideration, were disposed of by the first purchasers, and since then, perhaps, passed through many hands. Some eminent jurists classed them with negotiable paper, and supposed them to be subject to the same laws, and as such gave it as an opinion that the State was legally liable for their payment. The correctness of this opinion was doubted by many, and whether these doubts were well founded was a question worthy the deliberate consideration of statesmen and jurists. It was a question involving the taxation of the people to pay that for which they had received no consideration. The duties and authority of the fund commissioners were prescribed by the public acts of the Legislature, of which all are presumed to know. No act of the Legislature ever authorized Bonds to be sold on time. We know of no case where a Government agent transcends his powers that his act is binding on the Government. Such a doctrine is too absurd to be seriously entertained for a moment. The sale of these Bonds on time was transcending the power of the agent, and as such, was not binding on the State.

We are satisfied, too, that State or Government Bonds are not subject to all the laws regulating negotiable paper, as they cannot be sued upon without express permit of the Government. There is a difference, therefore between Government Bonds and negotiable paper payable by individuals or companies. This difference is sufficient to except it from the technicalities of the law merchant.

The State, in the payment of its obligations, should, in all cases, be governed by the principles of equity and justice. As these Bonds had depreciated in value, (the State having failed to pay the interest in 1841,) and having gone into other hands at a nominal price, justice, as well as law, would seem to require that the State should only pay the purchase money to the holder.

(a) While a discussion was going on in the State as to whether it was liable for the payment of the Bonds for which it had received no consideration, and *how* it should pay those for which it had received valuable consideration, a plan was submitted to the Legislature, by a person from the city of New York as agent of the Bondholders, and *said to be* for the discharge of the pecuniary obligations of the State, in a manner just and acceptable to the creditors, and honorable to the people. This plan was drawn up in form, and adopted in two several acts of the Legislature. It provides for the surrender of all the Bonds for which the State had received no consideration, as well as those for which it had, and gave precedence only to such as would make farther loans for the completion of the Wabash and Erie Canal to Evansville; and pledged the State never to make any provision whatever, hereafter, to pay either principal or interest on any Internal Improvement Bonds, until the holder or holders thereof shall have first surrendered the said Bonds to the Agent of State, and shall have received in lieu thereof certificates of stock as provided in section 1st, of the supplement, page 8, acts '47.

The justice of refusing to pay the Bondholders until they should make farther loans, and surrender their bonds for certificates of the character above mentioned, are questions on which there can be no difference of opinion. They cannot be regarded as just nor honorable to the State.

(b) On the surrender of four millions of dollars of Bonds principal, and a subscription and payment by installments of eight hundred thousand dollars, to complete said canal to Evansville, the Governor, in the name and under the seal of the State, was required to execute and deliver to Trustees, elected as therein mentioned, a deed or patent for the bed of the Wabash and Erie Canal, finished and to be finished, from the Ohio State line to Evansville, including all the property, right, title, and interest of the State in and to the same, and all the lands and lots, (not sold,) heretofore given, granted, or donated by the General Government to the State, to aid in the construction of said canal, the same to be held in trust for the uses and purposes therein mentioned.

The Wabash and Erie Canal cost the State \$5,321,565 82 prior to July 1st, 1847. There were 1,402,113 acres of land, estimated to be worth \$2 20 per acre, which makes \$3,055,257 33, from which deduct amount of land sold and scrip outstanding, \$1,291,951 87, which leaves \$1,863,295 33.

Total amount of property conveyed to the bondholders, - - - - -	\$7,181,871 15
Total amount received therefor up to July 1st, 1849, principal and interest, (Canal stock) - - -	6,038,725 00

Balance of Canal stock, principal and interest, if all the remaining outstanding bonds are surren- dered, - - - - -	1,148,295 00
Total amount, - - - - -	\$7,187,020 00
Deduct the amount for which the State has received no consideration, - - - - -	4,066,083 13
The actual receipts for said canal and lands would be - - - - -	\$3,120,936 87
Balance in favor of the bondholders, - - - - -	4,063,934 28

The receipts from the Canal, and the interest on the money expended in its construction, are not taken into consideration, as the difference is immaterial; the latter, perhaps, exceeding the former.

The total amount of bonds surrendered up to July 1, 1849, was \$9,320,009; leaving then outstanding \$1,728,000.

(c) There are two kinds of State stock. One for the *principal* of the bonds surrendered, bearing interest at the rate of five *per centum per annum*, (one per cent. of which, to the 1st of January, 1853, is added to the *interest* stock; and but four per cent. till then paid by the State,) and one for the *interest* on the principal which accrued between the 1st of January, 1841, and the 1st of January, 1847, including the one per cent above mentioned, which is to bear interest at the rate of two and a half per cent. from and after the 1st of January, 1853.

(d) The duties of the Agent of State, as prescribed in the act to provide for the funded debt of the State, &c., approved January 19, 1846, and the supplement thereto, approved January 27, 1847, may be comprised under three general heads.

He is provided with certificates of stock, with the State seal affixed, numbered, and signed by the Auditor and Treasurer of State.

(e) 1st. It is his duty to receive the bonds which may be surrendered, take an account of the numbers thereof, and by whom surrendered; which account he is required to furnish to the board of trustees of the Wabash and Erie Canal. When the bonds are so surrendered, they are to be cancelled, (which is done by punching holes through them) and certificates (furnished as above) are issued therefor, filled up and countersigned by the agent; and he is required to enter at the same time, in suitable books to be provided for that purpose, credits to the respective parties so surrendering the bonds, for the principal and interest specified in their respective certificates. To facilitate the surrender and exchange of bonds for certificates, the Agent of State is authorized to appoint a suitable person in London, at an expense not exceeding five hundred dollars per annum, to receive the bonds that might be tendered, deposit them in the bank of England for interim custody, and transmit an account thereof to the Agent of State. The Agent was then to transmit certificates to such person for the use of the persons sur-

rendering the bonds, filled up and countersigned as aforesaid; and the deposited bonds were to be cancelled in the presence of a notary public, and forwarded to the Agent of State at New York, where he is required to keep his office.

These duties are required to be performed at the city of New York, instead of Indianapolis, to suit the *convenience* of the bondholders, and to facilitate the surrender of bonds, &c. They are considered not as a part of the contract, but as an inducement to the holder of bonds to enter into the contract. They do not relate to those who have surrendered their bonds, but to those who have not. It is not known whether the remaining outstanding bonds will ever be surrendered. These bondholders, not having become parties to the contract, will have no cause of complaint, as a reasonable time has been given them to surrender their bonds, if the State should now require them to be surrendered at the capital.

(f) 2d. The interest on the certificates of State stock is required to be paid semi-annually at the city of New York, on the first days of January and July of each year, and the amount paid to each stockholder is required to be registered to his account by the Agent of State in books kept for that purpose. This registry is all the evidence the State has to show that the interest is paid.

This is no impediment to the abolition of the office of Agent of State. The interest can be paid through some responsible bank or house in the city of New York, with entire safety, and, it is believed without any expense, as the use of the money till called for would be sufficient compensation for paying it out.

(g) 3d. The certificates of stock are made transferable only at the city of New York, in books provided for that purpose. The certificates, to be transferred, must be endorsed by the owner, and witnessed by two persons. It is then delivered to the Agent of State, who cancels it, and issues a new certificate for the amount to the person entitled thereto. No title to a certificate will pass except by a transfer in this manner. Consequently, no person but the payee could derive any benefit from it, as he could draw neither principal nor interest.

The amount of these certificates is not defined by law, nor is there any provision in the law as to whether two or more certificates, in a transfer of stock, may be issued in lieu of one surrendered and canceled. The original bonds were each for the even sum of \$1,000, except two, one of which was \$1,257 50, and the other was \$1,742 50. The transfer of these bonds was made without cancellation and re-issue, and in no respect were they changed after they were sold by the State. Had they gone into circulation *fairly*, and for valuable consideration, no cause of complaint, nor apprehension as to their management, would have existed. Such is not the case with the present certificates. They are issued for *any amount*, not exceeding the amount due to the holder. It is the practice, in the transfer of these certificates, to issue any number of new ones, in lieu of, and for the amount of, the one canceled, to suit the conven-

ience of speculators, provided the amount is not less than five hundred dollars.

(h) This transfer system is a great convenience to Wall street brokers and speculators in the State Stocks, but it opens the door for greater frauds and corruption to be practiced upon the State than has ever yet been done. If the Agent of State should seek to advance his pecuniary interest at the expense of the State, he might do it with impunity, and perhaps the fraud be attributed to clerical errors or incompetency.

A case of this kind may be illustrated thus : A has a certificate of stock of \$50,000. He sells B \$10,000, C \$5,000, D \$4,500, and E \$3,500, and reserves the balance. The certificate is endorsed and witnessed, and delivered to the Agent for cancelation, with a request to issue new certificates to B, C, D, and E, for their respective amounts, and to issue a certificate back to A for the balance, which is \$27,000. By mutual agreement between the Agent and A, instead of \$27,000, a certificate is issued to A for \$37,000, being \$10,000 too much. An entry, however, is made upon the books of the amount of each certificate, to whom payable, &c., by the Agent. This error may be very easily detected by any one, on examination of the books, and the payment of principal and interest on that certificate may be withheld from A until the error is corrected. But this is but one stage of the proceeding. Before the error is discovered A sells his certificate of \$37,000 to Mrs. F., widow, and guardian for her six orphan children, properly endorsed and witnessed. A receives and pockets the cash received therefor, goes to his friend "Agent," divides the spoils, \$10,000, and then leaves. Mrs. F. takes her certificate, received of A, to the Agent, who cancels it, and issues a new certificate, payable to her, as guardian for the orphan children, for the \$37,000, and makes the proper entry thereof. This certificate of stock would be as binding upon the State as any one now outstanding, and the widow, being an innocent and honest purchaser, would be legally and justly entitled to its amount. The State would have it to pay. After a while the error is discovered, and the Agent is called to an account. He admits the error, but says it is a *clerical error—a mistake in adding up!* His friends and securities would undoubtedly be willing to think so, because such an error might innocently and unintentionally occur, and they would think it hard for them to pay \$10,000 on account of a merely *clerical error*. Who would willingly condemn a man of unblemished reputation for an error upon the books, of that kind, which all know may be innocently committed? Whether such a person would be acquitted of fraud, or not, is left for others to say.

This is but one case. The Agent of State keeps hundreds of State certificates on hand, ready to be filled, countersigned, registered, and put into circulation, according to the *form prescribed*, whether fairly or unfairly, if they have been subsequently transferred to innocent purchasers, and such transfers properly entered, the State would have them to pay.

Had the effects of this transfer system been fully understood by the Legislature, it is believed that it never would have been enacted into a law. It was purported to be incorporated in the bill with a view of better securing the interest of the State. M. G. Bright, in his annual report of December, 1847, says the difference between the old bonds and the present certificates is this, viz: "The former were transferable by mere delivery, of which the State could have no notice, whilst the latter, to pass as property, can only be signed in writing under our own inspection," and therefore, he says, "subject to any equities, should any exist, between the State and the holder." This is like shutting the stable door after the horse is stolen. All know that the equities of the State were *waived* in this very State debt arrangement, and the State assumed the payment of upwards of \$4,000,000. which, in equity, she ought not to have done. But an appeal in behalf of widows and orphans to the people of Indiana, will always meet with a hearty response. Our people have noble and generous hearts, ready at all times to relieve the distressed. Hence the appeal that these \$4,000,000 of bonds were owned by *poor widows and orphans* had such an effect. The State at once said they should be paid. Now it is discovered, by reference to the reports of the Agent of State of 1847 and 1848, that some of our great men at the Capital were a little deceived, and these misled the people, the bondholders happening not to be *poor widows and orphans*.

The above facts will lead any one to the conclusion that the transfer system ought to be abolished. But here we are met with the answer, that this transfer system is a part of the contract, and therefore cannot be abolished. But if such is the fact, which we will not now attempt to disprove, it is the greater misfortune to the State.

(i) The expense of keeping an Agent at the city of New York to make these transfers, is proof sufficient that the office ought to be abolished. The incidental expenses, &c., of the Agent of State, from the 1st of May, 1843, to the 1st of October, 1849, as reported by the Auditor of State, were \$65,750 34, making an average of over \$10,000 per annum! There are several items of expenditure included in this report which do not properly belong to this class of expenses, and should be deducted from the above amount. (See the Report of the Auditor of State in relation to the incidental expenses, &c., of the Agent of State, December, 1849.)

(j) The transfer system is the only obstacle we have to encounter in abolishing the office of Agent of State, and reason, justice, and equity, require that that system should be changed or abolished. It constituted no part of the original contract, which ought not to have been changed so as to affect the interest of the State. Its effects, it is believed, were not fully understood by the Legislature nor by the people. The State *waived* all its equities and set-offs in the arrangement to provide for the Funded Debt, &c., which this transfer system purports to secure. The State is liable to great loss

and injury in case of the incompetency or dishonesty of the Agent of State. The State is at great expense in keeping up this agency, in which it has no interest. Its sole advantages accrue to the holders and speculators in the State stock, and probably enhances its value among them, the *honor* of which is all the State receives in consideration of the liabilities and expenses incurred thereby. The State would be relieved from these liabilities and expenses by abolishing the transfer system and the office of Agent of State.

In closing up this agency, a registry should be made of each and every certificate then outstanding. Its amount, rate of interest, date, number, and to whom payable, keeping in separate books the five per cent. stock, and the two and a half per cent. stock. This should be filed with the Auditor of State, together with all the certificates of stock in the hands of the Agent, and no person should ever again be permitted to exercise such unguarded power, as in this transfer system is given, to issue and put into circulation certificates of State stock.

The foregoing facts are submitted for your consideration. We cannot say positively that there are no *clerical errors* or mistakes in *adding up*, but we believe there are none. Should any be found to exist, however, we ask that they should be attributed to the head and not to the heart. It is right that these facts should be known, though denunciation may be expected from some persons, their motives perhaps may be seen, and all we ask is that they receive that consideration which the subject requires.

The people of Indiana are proud of their State, and justly so. She possesses all those internal resources which are necessary to make them prosperous and happy. They hold her honor sacred, and would consider him her worst enemy who would maliciously attempt to tarnish it. Her credit has been impaired by the mismanagement of her rulers. This, it is hoped, she will soon regain. It is to the interest of her creditors, as well as her own, that her resources should be husbanded. That all unnecessary expenditures should be cut off, and that all avenues to fraud and corruption may be closed, that she may be enabled by proper management and economy to liquidate the debt which now hangs, as I said before, like an incubus upon her. The burthen of taxation must necessarily be heavy, and a generation will likely pass away before the object is accomplished.

Our creditors, it is believed, would be willing to accede to any honorable proposition, not inconsistent with their interest, to facilitate the payment of our debt. The committee do not propose to abolish the transfer system, nor the office of Agent of State, without first giving notice to our creditors, and proposing to them, for approval or disapproval, a proposition or substitute which it is thought would be equivalent to the present system, and remedy any evil or inconvenience that might otherwise result to them by reason of such change.

(k) The substitute proposed is this, viz: That the State autho-

size her creditors to deposit their certificates of State stock with such persons or institution as they may agree upon, with authority to draw the interest thereon from the State as it becomes due, and to receipt therefor; and on this stock, as a basis, to issue other certificates (to the amount deposited) of such denominations, not less than — dollars, as may be agreed upon, to the persons entitled thereto, bearing like interest to the stock deposited, and the interest and principal payable by the persons or institution issuing the same, at their office, out of the moneys received by them of the State. That such persons or institution from and after the expiration of the time specified by law, be also authorized to receive the principal of such deposited stock as shall be paid by the State, and to receipt and deliver over to the State the certificates of stock so paid, and to apply the money as it shall be received to the redemption of the principal of the stock by them issued; the State in no case to be answerable for the payment of principal or interest of any stock except that issued by herself.

In pursuance herewith, your committee respectfully beg leave to submit to your consideration the following joint resolution, and recommend its passage :

No. 505. A joint resolution relative to the transfer of State stock, &c., and to the abolition of the office of Agent of State ;

Mr. Cravens moved to lay the report on the table.

Mr. Wright moved to order 1000 copies to be printed.

On motion by Mr. Dougherty of Boone,

The motion to print was laid on the table.

The question on laying the report on the table,

Was decided in the negative.

No. 505, a joint resolution, accompanying the report,

Was read a first time and passed to a second reading.

Mr. Connor, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which were referred bill No. 319 of the Senate, have had the same under consideration, and have instructed me to report the same back without amendment, and ask its passage :

No. 319. A bill to incorporate the Cannelton Saving Institutions ;

Which was read a second time and ordered to a third reading.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Brown of Randolph, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 7, with certain instructions, have had the same under consideration, and have directed me to report the same back to the House amended according to said instructions, and when so amended to recommend its passage.

Amend section two by striking out the words "or other lien lawfully obtained" and insert after the words "mechanics" the word "lien" and insert the word "or" after the word "laborers" in the second line.

Amend section eight by so changing the same that after the taking effect of this act, personal property shall sell for the highest price the same will bring, not less than one-half the appraised value thereof, and real estate so levied upon shall sell for any sum the same will bring not less than two-thirds the appraised value thereof; and amend said section further by inserting after the word "execution" in the eighth line the following: *Provided*, that nothing herein contained shall be so construed as to repeal or in any manner affect an act approved January 13th, 1845, entitled "an act exempting personal property from execution," but the same is declared to be in full force and effect.

The committee, although not instructed, would suggest that section one be amended by striking out the words "one half" in the 29th line, and inserting in lieu thereof the words "two-thirds." Without such amendment the different sections of the act will be in conflict, the one with the other.

Mr. Brown of Shelby moved to lay the bill and amendments on the table.

Mr. Goodwin moved a call of the House ;

Which motion did not prevail.

The question being on laying the bill and amendments on the table ;

The ayes and noes being demanded by Messrs. Carnahan of Posey and Goodwin :

Those who voted in the affirmative were,

Messrs. Alley, Athon, Barker, Bird, Bowen, Brown of Shelby, Byers, Caldwell, Cleaver, Cole, Cravens, Dodd, Dougherty of Elkhart, Elder, Ellis, Essex, Farnesly, Greathouse, Harney, Hart, Hicks, Hill, Johnson, Keeney, Knowlton, Landiss, Leviston, May, Menaugh, Mickle, Niblack, O'Haver, Prather, Richardson, Robinson of Decatur, Rush, Salter, Sherrod, Spencer, Stewart, Stone, Summers, Thom, Tinbrook, Watkins, Wells, Weir, and Mr. Speaker—48.

Those who voted in the negative were,

Messrs. Allen, Brown of Randolph, Burnet, Butler, Carnahan of

Posey, Chandler, Conner, Cotton, Defrees, Delavan, Dougherty of Boone, Edwards, Gentry, Gessie, Goodwin, Graves, Harvey, Hillis, Holcomb, Huey, Humphreys, Hunter, Lane, Miller of Marshall and Fulton, Miller of Owen, Millikan, Morrison, O'Neal, Orr, Patterson, Reed, Robinson of Laporte, Russell, Shelby, Shepard, Stoops, War-riner, Weaver, Wilson, Whinery, Wright, and Yocum—42.

So the bill and amendments were laid on the table.

Mr. Summers moved that the House adjourned ;

Which motion did not prevail.

Mr. O'Haver moved to suspend the order of business and take from the table House bill, No. 426 ;

Which motion did not prevail.

On motion by Mr. Goodwin,

The order of business was suspended.

Mr. Goodwin introduced,

No. 506. A bill to amend an act, entitled " An act more effectually to prevent the retailing of spirituous liquors in certain counties therein named," approved January 16, 1849 ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Carr,

The order of business was suspended.

Mr. Carr introduced,

No. 597. A joint resolution suspending the operation of a certain act therein named ;

Which was read a first and second times, the rules being suspended therefor.

Mr. Humphreys moved to indefinitely postpone the joint resolution.

On motion by Mr. Stewart,

The House adjourned till 2 o'clock. P. M.

Two o'clock, P. M.

The House met.

Mr. Brown of Shelby, gave notice to the House that he would, on to-morrow, move to amend that part of the Standing Order of business, which requires when orders of the day are taken up, that messages of the Senate shall be first acted on.

ORDERS OF THE DAY.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendment of the House, to engrossed bill of the Senate :

No. 139. An act providing for the election of township Assessors, in the counties of Green and Hamilton ;

With one amendment ;

In which amendment the concurrence of the House of Representatives, is respectfully requested.

Which amendment of the Senate was concurred in.

Ordered, That the clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills of the House, with sundry amendments :

No. 188. An act in relation to the change of names ;

No. 133. An act to incorporate the Spring Creek and Tippecanoe Bridge Company ;

No. 146. An act to provide for the electing of a prosecuting attorney in the second judicial circuit ;

No. 147. An act to amend an act, entitled "An act granting to the citizens of the town of Aurora, in the county of Dearborn, a city charter," approved February 14, 1848 ;

No. 210. An act to incorporate the Terre Haute Insurance Company ;

No. 214. An act to repeal a certain act therein named ;

No. 284. An act to incorporate the Rising Sun and Versailles Turnpike Company ;

No. 300. An act relative to the field notes, maps, records, and other papers appertaining to the land titles within the State of Indiana ;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of amendment of the Senate, to House bills contained in the foregoing message.

No. 188. A bill in relation to the change of names ;

The question being on concurring in the amendment of the Senate,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

No. 133. A bill to incorporate the Spring Creek and Tippecanoe Bridge Company ,

The question being,

On concurring in the amendment of the Senate,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

No. 146. A bill to provided for the electing of a prosecuting attorney in the second judicial circuit ;

Mr. Graves moved to concur in the amendments of the Senate, with the following amendment :

“Add 4th, 5th, and 7th, and strike out 9th circuit.”

On motion by Mr. Chandler,

The bill and amendment were laid on the table.

Which motion prevailed.

No. 147. A bill to amend an act entitled “an act granting to the citizens of the town of Aurora, in the county of Dearborn, a city charter,” approved February the 14th, 1848 ;

The question being,

On concurring in the amendment of the Senate,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

No. 210. A bill to incorporate the Terre Haute Insurance Company ;

On motion by Mr. Edwards,

The bill and amendment of the Senate were laid on the table.

No. 214. A bill to repeal a certain act therein named ,

The question being,

On concurring in the amendment of the Senate,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

No. 284. A bill to incorporate the Rising Sun and Versailles Turnpike Company ;

The question being,

On concurring in the amendment of the Senate,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

No. 300. A bill relative to the field notes, maps, records, and other papers appertaining to the land titles within the State of Indiana ;

The question being,

On concurring in the amendment of the Senate,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson their Secretary ;

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions thereof :

No. 50. A joint resolution relative to the election of United States Senator ;

No. 200. An act to incorporate the Connersville and Raysville turnpike Company ;

No. 257. An act relative to the probate judge of Shelby county ;

No. 258. An act to incorporate the town of West Union, in Fayette county ;

No. 261. An act to change the names of Belsora Barsheba Inglewright, and others ;

No. 262. An act in relation to printing additional copies of the general and local laws of this State ;

No. 267. An act for the temporary relief of the poor of Darborn county ;

No. 268. An act providing for the re-location of Orr and Harrison's addition to the eastern enlargement of Evansville, and for other purposes ;

No. 272. An act imposing additional duties on the Warden and the Superintendent of the State Prison buildings ;

No. 275. An act to amend an act entitled "an act more effectually to prevent the retailing of spirituous liquors, in certain counties therein named," approved January the 16th, 1849 ;

No. 276. An act to authorize the construction of a rail road from Rushville to Lewisville, in Henry county ;

No. 285. An act to repeal an act entitled "an act to amend section one hundred and one, of chapter thirty-eight, of the revised statutes of 1843, so far as relates to the counties of Tipton and Morgan ;

No. 288. An act to prevent the consolidation of indictments for selling liquors in Dearborn county ;

No. 347. An act repealing certain laws so far as the same relates to Hancock county, and for other purposes ;

No. 547. An act in relation to tavern and grocery license in Hancock county ;

No. 362. An act to amend an act to incorporate the Wilmington and Aurora insurance company, approved February 2d, 1839 ;

No. 377. An act conferring the power upon the voters of Wayne township, Henry county, to determine the question of "license" or "no license ;"

No. 386. An act to amend an act entitled "an act to incorporate the Cross Plains and Laughery Turnpike company," approved January 15, 1849 ;

No. 387. An act to extend an act entitled "an act more effectually to prevent the retailing of spirituous liquors in certain counties therein named," approved January 16th, 1849 ;

No. 390. An act to authorize the Governor to appoint a private Secretary ;

No. 392. An act in relation to Wardens and Vestrymen of the Protestant Episcopal Church ;

No. 393. An act to change the time of convening the legislature in 1850 ;

No. 394. An act declaring the meaning of section 11, of chapter 4, of the Revised Statutes of 1843 ;

No. 395. An act to amend an act entitled "an act to provide for the election of township assessors in the counties therein named, and defining their duties," approved January 27th, 1847, so far as relates to the county of Monroe ;

No. 397. An act to incorporate the Clinton county Steam Mill company ;

No. 398. An act to incorporate the Indianapolis and Brownsburgh Plank Road company ;

No. 404. An act to incorporate the town of Liberty, in Union county ;

No. 405. An act changing the time of holding the Hancock circuit court from the second Mondays in February and August to the fourth Mondays in March and September ;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of Senate bills contained in the foregoing message :

No. 50. A joint resolution relative to the election of United States' Senators ;

No. 200. A bill to incorporate the Connersville and Raysville Turnpike company ;

No. 257. A bill relative to the probate judge of Shelby county ;

No. 258. A bill to incorporate the town of West Union, in Fayette county ;

No. 261. A bill to change the names of Belsora Barsheba Inglewright, and others ;

No. 262. A bill in relation to printing additional copies of the general and local laws of this State ;

No. 267. A bill for the temporary relief of the poor of Dearborn county ;

No. 268. A bill providing for the re-location of Orr and Harrison's addition to the eastern enlargement of Evansville, and for other purposes ;

No. 272. A bill imposing additional duties on the Warden and Superintendent of the State Prison Buildings ;

No. 275. A bill to amend an act entitled "an act more effectually to prevent the retailing of spirituous liquors in certain counties therein named," approved January 16, 1849 ;

No. 276. A bill to authorize the construction of a Railroad from Rushville to Lewisville, in Henry county ;

Were severally read a first time and passed to a second reading.

No. 285. A bill to repeal an act entitled " an act to amend section 101, of chapter 38, of the Revised Statutes of 1843," so far as relates to the counties of Tipton and Morgan ;

Was read a first time.

On motion by Mr. Delavan,

The rules were suspended, and the bill read a second time and ordered to a third reading.

No. 288. A bill to prevent the consolidation of indictments for selling liquors in Dearborn county ;

No. 245. A bill repealing certain laws, so far as the same relates to Hancock county, and for other purposes ;

No. 347. A bill in relation to tavern and grocery license in Hancock county ;

No. 362. A bill to amend an act to incorporate the Wilmington and Aurora Insurance company, approved February 2d, 1839 ;

No. 377. A bill conferring the power upon the voters of Wayne township, Henry county, to determine the question of " license " or " no license ;"

Were severally read a first time and passed to a second reading.

No. 386. A bill to amend an act entitled " An act to incorporate the Cross Plains and Laughery Turnpike Company," approved January 15th, 1849 ;

Was read a first time.

On motion by Mr. Knowlton,

The rule was suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 387. A bill to extend an act entitled " An act more effectually to prevent the retailing of spirituous liquors in certain counties therein named," approved January 16th, 1849 ;

No. 390. A bill to authorize the Governor to appoint a private secretary ;

Were each read a first time and passed to a second reading.

No. 392. A bill in relation to wardens and vestrymen of the Protestant Episcopal Church ;

Was read a first time.

On motion by Mr. Hillis,

The rule was suspended, the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Hicks,

No. 171. A joint resolution in relation to the slave trade, of the Senate, was taken up.

Mr. Cravens moved to indefinitely postpone the joint resolution ;

Which motion did not prevail.

Mr. Shepard moved to lay the joint resolution on the table ;

Which motion did not prevail.

The question then recurring,

On the passage of the joint resolution ;

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Weir moved to suspend the order of business ;

Which motion did not prevail.

No. 393. A bill to change the time of convening the Legislature in 1859 ;

Was read a first time.

On motion by Mr. Mickle,

The rule was suspended and the bill read a second time.

Mr. Hillis offered the following amendment :

Amend the 1st section by adding the following :

“And that hereafter the per diem allowance of the members of the General Assembly shall be three dollars, so long as said General Assembly shall continue in session.”

Mr. Goodwin moved to lay the bill and amendment on the table ;

Which motion did not prevail.

Mr. Hunter moved to lay the amendment on the table :

The ayes and noes being demanded by Messrs. Hillis and Wilson,

Those who voted in the affirmative were,

Messrs. Allen, Alley, Athon, Beard, Bowen. Brown of Shelby, Butler, Byers, Caldwell, Carnahan of Posey, Chandler, Cleaver, Cole, Conaway, Cravens, Defrees, Delavan, Dougherty of Boone, Dougherty of Elkhart, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Goodwin, Graves, Greathouse, Harney, Hart, Harvey, Hicks, Holcomb, Huey, Humphreys, Hunter, Johnson, Kecney, Landiss, Lane, Leviston, May, Menaugh, Miller of Marshall and Fulton, Miller of Owen, Millikan, Morrison, O'Neal, Orr, Patterson, Prather, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Robson, Ross, Rush, Russell, Shelby, Stoops, Summers, Thom, Tinbrook, Warriner, Watkins, Weaver, Whinery, Wright, and Yocum—70.

Those who voted in the negative were,

Messrs. Barker, Bird, Carnahan of Fountain, Connor, Cotton, Dodd, Edwards, Hill, Hillis, Mickle, Niblack, O'Haver, Salter, Shepard, Sherrod, Spencer, Stewart, Wells, Weir, Wilson, and Mr. Speaker—21.

So the amendment was laid on the table.

Mr. Hillis offered the following amendment :

Amend by adding the following :

“ That hereafter the per diem allowance of members of the General Assembly shall be one dollar and fifty cents, so long as said General Assembly shall continue in session.”

Mr. Dougherty of Elkhart called the previous question ;

Which motion was seconded by the House.

The question then being, “ Shall the main question be now put ?”

Was decided in the affirmative.

The main question then being, “ Shall the bill be ordered to a third reading ?”

Was decided in the affirmative, and

The bill ordered to a third reading.

Mr. Dougherty of Boone moved to take from the table the following bill of the House :

No. 146. A bill to provide for the election of a Prosecuting Attorney in the second judicial circuit.

Which motion prevailed.

The question being on concurring in the amendments of the Senate with the amendment of Mr. Graves,

On motion by Dougherty of Boone,

The amendment of Mr. Graves was laid on the table.

Mr. Dougherty of Boone moved to concur in the amendments of the Senate by inserting after the word “ Marion,” in the sixth amendment, the words “ Boone and Warren.” And amend further by striking out the word “ ninth,” in the second amendment. And add this further proviso :

Provided, however, That such Prosecuting Attorneys of said Circuits shall not be paid any salary or part thereof by the State,

Which motion did not prevail.

Mr. Chandler moved to lay the bill on the table.

Which motion did not prevail.

Mr. Edwards moved to concur in the amendments of the Senate with the following amendment :

Add the 7th and 10th judicial circuit, and strike out the 9th judicial circuit.

Insert after the word “ Marion,” the words “ Boone, Warren, Johnson, Clinton, Hancock, Hendricks.”

Which motion prevailed.

Ordered, That the Clerk inform the Senate thereof.

A message from his Excellency, the Governor, by Mr. Tarkington, the Executive Messenger :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills :

No. 303. An act for the relief of Montgomery county ;

No. 96. An act to amend "an act to incorporate the Logansport, Rochester, and Michigan Road Company," approved January 15, 1846 ;

No. 113. An act for the relief of the Liberty and Brownsville Turnpike Company," approved February 12, 1848 ; and the Liberty and Abington Turnpike Company," approved January 15th, 1844 ;

No. 192. An act to confirm the Angola Plank Road Company ;

No. 289. An act for the more speedy completion of the Indiana Hospital for the Insane ;

No. 6. An act relative to appeals and changes of venue from probate courts ;

No. 20. An act for the better improvements of highways ;

No. 30. An act to amend an act entitled "an act to incorporate the Harrison, New Trenton, Rochester, and Brookville Turnpike Company," approved Jan. 13, 1849 ;

No. 32. An act to provide for ascertaining the value of personal property exempt from taxation ;

No. 111. A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana ;

No. 171. An act to provide for a uniform mode of doing township business in Clay county ;

No. 186. An act to change the name of Emanuel Pidcock ;

No. 252. An act relative to a receiver in chancery in the county of St. Joseph ;

No. 301. An act to incorporate the Danville, North Salem, and Crawfordsville Plank Road Company ;

No. 305. An act for an appropriation for a State Fire Engine for the use of the State Prison ;

No. 433. An act to amend the charter of the New Albany and Salem Railroad Company ;

No. 249. An act to authorize James Taylor to erect a mill dam across Salamony river, in Huntington county ;

No. 446. An act to change the name of Trenton, in the county of Randolph ;

No. 453. An act to change the name of the town of White Hall, in Miami county to that of Wav-pe-cong ;

No. 430. An act granting the right of way to companies in the State of Illinois to construct plank roads in the county of Vermilion, in this State ;

No. 238. An act to amend a certain act therein named ;

No. 444. An act to incorporate the town of Newbern, in Bartholomew county ;

No. 443. An act to attach certain territory to the county of La-porte;

No. 442. An act for the relief of Aaron Wright of Marion county;

No. 441. An act authorizing the election of one additional justice of the peace in Highland township, Vermillion county;

No. 454. An act to legalize certain proceedings in the Grant Probate Court;

No. 439. An act to repeal a certain act therein named, so far as it relates to Randolph county, and to revive certain other laws;

No. 359. An act to increase the per diem allowance of the probate judge of the probate court of Vermillion county;

No. 256. An act to incorporate the "Alamo Sons of Reform," in the State of Indiana;

No. 447. An act to increase the salary of the Probate Judge of Elkhart county;

No. 94. An act to reduce the fees and emoluments of the auditor and treasurer of Steuben county.

No. 358. An act for the relief of the purchasers of Seminary lands in Monroe county;

No. 250. An act to change the name of Mary Bell Niel to Mary Bell Noble;

No. 427. An act to organize an additional school district in the county of Sullivan;

No. 288. An act for the relief of Nehemiah Cheeseman, of Wayne county.

No. 304. An act to provide for carrying the unpaid taxes of 1847, and the delinquent taxes of previous years, on the tax list of 1850, in the county of Adams;

No. 122. An act for the relief of Willian Nothem;

No. 450. An act to legalize the Lafayette and Muncietown State road, in the counties of Clinton and Tipton;

No. 374. An act to amend an act, entitled "An act to locate a State road in the counties of Decatur, Jennings, and Bartholomew," approved Jan. 5, 1849;

No. 59. An act authorizing an additional number of copies of the Revised Statutes of 1843, to be distributed to the counties of Miami and Adams.

No. 261. An act to vacate a certain alley in the town of West Harrisonville, and a certain street in the town of Mount Pleasant, in the county of Martin;

No. 337. An act to establish an additional place of holding elections in Eagle township, in Boone county;

No. 85. A joint resolution in relation to the officers and soldiers of the war of 1812;

No. 252. A joint resolution providing for the purchase of land for the Deaf and Dumb Asylum;

No. 213. An act to legalize the acts of commissioners appointed to locate a road in the counties of Fountain and Tippecanoe.

No. 215. An act to compel non-residents to pay a road tax equal to that paid by residents in the county of Whitley ;

No. 286. An act to enable the inhabitants of the counties of Huntington and Whitley to construct Plank Roads.

No. 258. An act to incorporate the Western Plank Road Company ;

No. 367. An act to legalize the assessment of taxes of Tippecanoe county.

No. 375. An act to extend the time of the sittings of the probate court of Fulton county ;

No. 60. An act to authorize the voters of Daviess county to vote in Washington township in said county ;

No. 265. An act to provide for electing supervisors by districts in the counties of Boone, Delaware, Huntington, Whitley, Parke, and Posey ;

All of which originated in the House of Representatives.

The House resumed the consideration of Senate bills contained in a message previously taken up.

No. 294. A bill declaring the meaning of section 11, of chapter 4, of the revised statutes of 1843 ;

Was read a first time and passed to a second reading.

No. 395. A bill to amend an act entitled "an act to provide for the election of township assessors in the counties therein named, and defining their duties," approved January 27th, 1847, so far as relates to the county of Monroe ;

Was read a first time and passed to a second reading.

No. 397. A bill to incorporate the Clinton county steam mill company ;

Was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 398. A bill to incorporate the Indianapolis and Brownsburg Plank Road Company ;

Was read a third time.

On motion by Mr. Russell,

The rule was suspended, and the bill read a second and third times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 404. A bill to incorporate the town of Liberty, in Union county ;

Was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 405. A bill changing the time of holding the Hancock Circuit Court from the second Mondays in February and August to the 4th Mondays in March and September ;

Was read a first time and passed to a second reading.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have again refused to recede from their disagreement to the 1st engrossed amendment of the House to the engrossed bill of the Senate,

No. 4. An act to provide for the calling a convention of the people of the State of Indiana to revise, amend, or alter the constitution of said State ;

And have appointed Messrs. Miller and Porter a second committee of free conference on the part of the Senate, and respectfully request that a similar committee may be appointed on the part of the House.

Mr. Hillis moved that the House recede ;

The ayes and noes being demanded by Messrs. Butler and Shepard :

Those who voted in the affirmative were,

Messrs. Athon, Barker, Bird, Brown of R., Carnahan of Fountain, Carnahan of Posey, Defrees, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Graves, Harney, Hart, Hicks, Hillis, Holcomb, Huey, Johnson, Landiss, Mickle, Niblack, O'Haver, Richardson, Russell, Sherrod, Spencer, Thomas, Warriner, Wells, Whinery, Wright, and Mr. Speaker—36.

Those who voted in the negative were,

Messrs. Allen, Alley, Beard, Bowen, Brown of S., Butler, Byers, Caldwell, Chandler, Cleaver, Cole, Connor, Cravens, Delavan, Dodd, Dougherty of Boone, Gessie, Goodwin, Greathouse, Harvey, Hill, Humphreys, Keeney, Knowlton, Lane, Leviston, May, Menaugh, Miller of Marshall and Fulton, Miller of Owen, Millikan, Morrison, O'Neal, Orr, Patterson, Prather, Reed, Robinson of Laporte, Robson, Ross, Rush, Salter, Shelby, Shepard, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Watkins, Weaver, Weir, Wilson, and Yocum—55.

So the House did not recede.

On motion by Mr. Dougherty of Boone,

A committee of free conference on the part of the House was ordered.

The Speaker appointed Messrs. Dodd, and Burnet said committee.

Ordered, That the Clerk inform the Senate thereof.

HOUSE BILLS ON SECOND READING.

No. 428. A bill to change the boundary lines of Fountain and Warren counties ;

Was read a second time.

On motion by Mr. Chandler,
The bill was indefinitely postponed.

The question being on the indefinite postponement,
Was decided in the affirmative.

Mr. Russell moved to take from the table bill No. 427, and make it the special order of the day for to-morrow.

Mr. Butler moved a call of the House.

Which motion did not prevail.

The question then recurring on the motion of Mr. Russell,

The ayes and noes being demanded by Messrs. Campbell and Russell,

Those who voted in the affirmative were,

Messrs. Allen, Athon, Bowen, Brown of R., Burnet, Butler, Byers, Caldwell, Carnahan of F., Chandler, Conner, Defrees, Dougherty of E., Edwards, Ellis, Gessie, Harney, Harvey, Hill, Hillis, Holcomb, Hunter, Johnson, Keeney, Knowlton, Lane, Leviston, May, Miller of M. and F., Millikan, Morrison, O'Haver, O'Neal, Prather, Robinson of L., Robson, Russell, Salter, Shelby, Stewart, Stoops, Summers, Thom, Tinbrook, Warriner, Wells, Whinery, and Mr. Speaker—49.

Those who voted in the negative were,

Messrs. Alley, Barker, Bird, Brown of S., Carnahan of P., Cleaver, Cole, Cotton, Cravens, Delavan, Dodd, Dougherty of B., Essex, Farnesly, Gentry, Goodwin, Graves, Greathouse, Hart, Hicks, Humphreys, Landiss, Menaugh, Miller of O., Niblack, Patterson, Reed, Richardson, Robinson of D., Ross, Rush, Shepard, Thomas, Weaver, Weir, Wilson, Wright, and Yocum—38.

So the motion of Mr. Russell prevailed.

On motion by Mr. Essex,
The order of business was suspended.

Mr. Essex introduced,

No. 508. A bill to authorize the trustees of the Methodist Episcopal Church in St. Louis, in Bartholomew county, to sell and convey a certain house and lot therein named ;

Which was read a first, second, and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Barker,
The order of business was suspended.
Mr. Barker introduced

No. 509. A bill to incorporate the Evangelical Protestant Congregation of Christians, of Haysville, Dubois county ;

Which was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Wilson,
The order of business was suspended.
Mr. Wilson introduced,

No. 510. A joint resolution in regard to the compensation of jurors in the United States District Court ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Gentry moved to take up bill No. 303.
Which motion did not prevail.

Mr. Salter moved to suspend the order of business.
Which motion did not prevail.

The House resumed the consideration of bills of the House on second reading.

No. 263. A bill to authorize the trustees of the Moorsville school society to convey real estate ;

Was read a second time.

The question being on the engrossment of the bill,
Was decided in the negative.

No. 267. A joint resolution on the subject of increasing the common school fund ;

Was read a second time, and ordered to be engrossed.

No. 269. A bill declaratory of the meaning of an act entitled "an act to revise and consolidate the several acts of the General Assembly, relative to laying out, opening, repairing, changing, and vacating, public highways and to the erection and repair of bridges, and to amend the same," approved January 16th, 1849, so far as relates to the county of Rush ;

Was read a second time.

On motion by Mr. Cotton,
The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 270. A bill to incorporate the Delphi Northern Plank Road Company ;

Was read a second time.

Mr. Weaver offered the following amendment :

Amend by inserting in the proper place :

Provided, Said company may in their discretion construct any portion of said road of gravel or stone.

Which was adopted.

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 271. A bill to amend an act therein named ;

Which was read a second, and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 272. A bill providing an equivalent in money in lieu of stationery, as now furnished members of the General Assembly ;

Was read a second time.

Mr. Wilson moved to amend the bill by striking out three dollars and inserting in lieu thereof, "seventy-five cents."

Mr. Patterson moved to amend the amendment by adding in the proper place—

And that each member leave \$150 worth of stationery on his desk, at the close of the session, for the use of the State officers, &c., during the recess of the General Assembly.

Mr. Weir moved to lay the bill and pending amendments on the table.

A division of the question was called for ;

The question then being on laying the amendment and the amendment to the amendment on the table ;

Was decided in the affirmative.

The question then recurring on laying the bill on the table ;

The ayes and noes being demanded by Messrs. Goodwin and Carnahan of Posey :

Those who voted in the affirmative were,

Messrs. Alley, Athon, Bowen, Butler, Byers, Cleaver, Cole, Conaway, Delavan, Dodd, Goodwin, Graves, Harney, Hart, Hicks, Hill, Hillis, Humphreys, Morrison, Niblack, Rush, Warriner, Watkins, Weaver, Weir, Wilson, and Yocum—27.

Those who voted in the negative were,

Messrs. Allen, Barker, Beard, Bird, Brown of Shelby, Burnet, Caldwell, Carnahan of Fountain, Carnahan of Posey, Connor, Cotton, Cravens, Defrees, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Ellis, Farnesly, Gentry, Gessie, Greathouse, Harvey, Holcomb, Huey, Hunter, Johnson, Keeney, Knowlton, Landiss, Lev-

iston, May, Menaugh, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikan, O'Haver, O'Neal, Orr, Patterson, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Russell, Salter, Shelby, Shepard, Sherrod, Spencer, Stewart, Stoops, Summers, Thom, Thomas, Tinbrook, Wells, Whinery, Wright, and Mr. Speaker—63.

So the bill was not laid on the table.

Mr. Shepard moved to refer the bill to a select committee, with instructions to inquire into the frauds alleged by the gentlemen from Posey ;

Which motion did not prevail.

Mr. Wells moved to strike out and insert at the proper place, the following :

“The door-keeper shall furnish each member such stationery as he may desire, and charge the same at the end of the session ; all over three dollars of the account shall be paid by the proper members.”

On motion by Mr. Niblack,

The bill and pending amendments were referred to the committee of ways and means.

No. 273. A bill relative to the office of auditor, in Warrick county ;

Which was read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 274. A bill defining the duties of county commissioners ;
Was read a second time and ordered to be engrossed.

No. 275. A bill to provide for the incorporation and regulation of telegraph companies ;

Was read a second time, and

On motion by Mr. Dodd,

Referred to the committee on corporations.

No. 276. A bill to regulate witnesses' fees in probate courts and courts of common pleas of this State ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 277. A bill to amend an act entitled “An act for the government of the Indiana Hospital for the Insane,” approved Feb. 15, 1848 ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 278. A bill to repeal an act therein named;
Was read a second time, and.

On motion by Mr. Whinery,
Laid on the table.

No. 279. A bill to amend an act, entitled "An act to increase and extend the benefits of Common Schools," approved January 17, 1849;

Was read a second time.

On motion by Mr. Goodwin,
The county of Daviess was excepted from the provisions of the bill.

Mr. Caldwell moved to lay the bill on the table;

Which motion prevailed.

Mr. Edwards moved to suspend the order of business;

Which motion did not prevail.

No. 280. A bill to compel speculators to pay their due proportion of road tax in the county of Miami;

Was read a second time.

On motion by Mr. Cole,
The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hillis moved that the House adjourn;

Which motion did not prevail.

No. 281. A joint resolution in relation to costs in the District and Circuit Courts of the United States in suits involving questions of Patent Rights by patentees and their assigns who are insolvent;

Was read a second time.

On motion by Mr. Whinery,
The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 283. A bill relating to the Probate Court of Parke county;

Was read a second time.

On motion by Mr. Tinbrook,
The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 285. A bill to amend an act to incorporate the Trustees of Indiana Asbury University, approved January 10, 1837;

Was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 291. A bill to incorporate the Peru and Warsaw Plank Road Company;

Was read a second time.

On motion by Mr. Cole,
Was referred to a select committee, consisting of

Messrs. Cole, Bird, and Graves.

Mr. Allen moved to suspend the order of business ;

Which motion did not prevail.

No. 292. A bill to revive an act to provide for the support of the Indigent Blind of the State of Indiana ;

Was read a second time and ordered to be engrossed.

No. 294. A bill to vacate the town of Augusta in the county of Noble ;

Was read a second time.

On motion by Mr. Keeney,

The bill was indefinitely postponed.

Mr. Dodd moved that the House adjourn ;

Which motion did not prevail.

No. 295. A bill authorizing the clerk of the Circuit Court to sell certain lots in the town of Delphi for school purposes ;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 296. A bill for the distribution of the local laws, statutes, public documents, and reports to the City of Jeffersonville ;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hillis moved that the House adjourn ;

Which motion did not prevail.

No. 297. A bill to legalize certain acts therein named ;

The rule was suspended, the bill read a second and third times, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Athon,

The order of business was suspended.

Mr. Athon introduced,

No. 511. A bill authorizing the permanent occupation by a Law Institution and Medical College of the north-west acre of square No. 25, in the City of Indianapolis ;

Was read a first and second times, the rules being suspended therefor.

On motion by Mr. Chandler,

The bill was referred to the committee on the affairs of the town of Indianapolis.

Mr. Cravens moved to reconsider the vote on committing the bill to the committee on the affairs of the town of Indianapolis ;

Which motion prevailed.

The question being on committing the bill to the committee on the affairs of the town of Indianapolis,

Mr. Cleaver offered the following amendment :

Strike out from the enacting clause, and insert:

"That the Governor be, and he is hereby authorized to appoint three disinterested persons, who shall take an oath to faithfully appraise one acre of the lot of land in the city of Indianapolis known as the university lot, which appraisement shall be published in one or more public newspapers in this State, for the term of three months, and if no greater sum shall be bid for said lot of ground, it shall be lawful for the Governor to sell said land for the sum so fixed, but if any greater sum than that fixed by said appraisers, it shall be the duty for the Governor to sell said land for the greatest sum bid, but in no case for less than that named by the appraisers.

Sec. 2. This act shall take effect from and after its passage.

Mr. Robson moved to lay the amendment on the table ;
Which motion did not prevail.

Mr. Wilson moved that the House adjourn ;
Which motion did not prevail.

The question on referring the bill to the committee, being then put ;

Was decided in the affirmative.

Mr. Burnet, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills, with the engrossed bills of the House, and find the same correctly enrolled :

No. 135. An act regulating the pay of the probate judge of Vanderburg county ;

No. 136. A joint resolution in relation to publishing an act therein mentioned ;

No. 154. An act to amend an act entitled "an act authorizing the construction of plank roads," approved January 15, 1849 ;

No. 432. An act to prevent the unnecessary obstruction of Otter creek, in the county of Vigo ;

No. 150. An act to exempt from the payment of state and county tax the Olive Branch Church, in Jefferson county ;

No. 159. An act to locate a state road in the counties of Miami and Wabash ;

No. 169. A joint resolution in relation to donating the public lands to actual settlers ;

No. 174. An act to authorize the commissioners of Carroll county to employ a physician for the poor ;

No. 184. An act to amend the charter of the city of Evansville ;

No. 168. An act to incorporate the Evangelical Lutheran St. John's Church, in Dearborn county ;

No. 163. An act providing for the sale of the school section in

congressional township No. 26 north, of range three west, lying in the counties of White and Carroll;

No. 183. An act to regulate the fees of jurors in the county of Adams, and other counties therein named;

No. 185. An act to change the time of holding the April term of the commissioner's court of Jefferson county;

No. 194. An act to authorize Joseph A. Williams and John Morgan to erect and maintain a mill dam across the Wabash river, at or near Bluffton, in Wells county.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Whinery, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have examined the following and find them correctly enrolled:

No. 390. An act to incorporate the Covington Draw Bridge Company;

No. 395. An act to incorporate the Trustees of St. Paul's Church and of St. Joseph's School Society, of New Alsace, in Dearborn county, Indiana.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, without amendment:

No. 89. An act incorporating the Grand Royal Arch Chapter, of the State of Indiana;

No. 129. An act to increase the fees of jurors before probate courts;

No. 153. An act to amend section 141, of chapter 35, of the revised laws of 1843, relating to the duties of overseers of the poor;

No. 167. An act to incorporate the Tippecanoe Horse Thief Detecting Company;

No. 178. An act to incorporate the Goodwin Female Institute, of Lafayette;

No. 193. An act to regulate the per diem allowance for work done on the public highways, in Adams county, and other counties therein named;

No. 206. An act defining the duties of county treasurers, in several counties therein named ;

No. 208. An act to repeal an act therein named concerning sheriffs, so far as the same relates to the county of Martin ;

No. 218. An act to locate a state road between the counties of Vigo and Clay ;

No. 219. An act concerning the duties of the county treasurer of the counties of Kosciusko and Knox ;

No. 227. An act in relation to the auditor of Warrick county ;

No. 230. An act to incorporate the West Point Literary and Agricultural College, in Tippecanoe county ;

No. 231. An act to regulate the manner of doing business in the Jasper probate court ;

No. 233. An act to authorize the location of of a State road on the county line of Porter and Lake counties ;

No. 257. An act to incorporate the Harrison and Boardman Turnpike company ;

No. 365. An act to amend an act entitled " an act to amend the charter of the Milford and Columbus Railroad company ; "

No. 440. An act in relation to the school funds in Floyd county ;

No. 449. An act to prevent the sale of spirituous liquors in the township of Mound, in the county of Warren, without first procuring a license therefor ;

No. 456. An act defining the boundaries of school district No. 1, in Congressional township No. 12 north, of range No. 5 west, in the counties of Clay and Owen ;

No. 458. An act to amend an act entitled " an act to incorporate the Attica and Warren county Bridge company," approved February 16, 1848 ;

No. 459. An act to vacate the village of Mount Pleasant, in St. Joseph county ;

No. 460. An act to alter and change a State Road therein named ;

No. 461. An act to declare certain water courses in the counties of Perry and Spencer public highways, and for other purposes ;

No. 469. An act to vacate certain State roads therein named ;

No. 474. An act to incorporate the " Marion county horse company," for the detection and apprehension of horse thieves, and others charged with crime ;

No. 476. An act authorizing the Vermillion circuit court to hear the application of Susan Coleman for a divorce and change of name ;

No. 478. An act to amend an act entitled " an act to abolish the office of county Auditor in the county of Johnson," approved January 14, 1846 ;

No. 482. An act to amend an act entitled an act regulating the granting of licenses to retail spirituous liquors in the counties of Gibson and Dubois, approved February 16, 1848, so far as relates to Gibson county, and to extend the same to Pike county ;

No. 484. An act to extend an act entitled "an act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 16, 1849, to Wayne county.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have appointed Messrs. Odell and Berry a committee of free conference on the part of the Senate, to confer with a similar committee appointed on the part of the House, in relation to the disagreement between the two Houses relative to the engrossed amendment of the Senate to engrossed bill of the House

No. 73. An act to amend an act entitled "an act to incorporate the Lafayette Insurance company," approved February 1, 1836.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House, to the following engrossed bills of the Senate :

No. 142. An act amendatory to an act entitled an act to define the jurisdiction of justices of the peace in the several counties therein named ;

No. 155. An act to incorporate the Madison Gaslight company ;

No. 166. An act to prevent frauds upon the revenue ;

All without amendment.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have appointed Messrs. James and Porter a committee of free conference on the part of the Senate, to confer with a similar committee appointed on the part of the House, in relation to the disagreement between the two Houses relative to the engrossed amendment of the Senate to engrossed bill of the House

No. 64. An act in relation to extra taxes in Lamasco city.

Mr. Millikan, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find them correctly enrolled :

No. 45. An act to amend the 43d section of the revised road law of 1849 ;

No. 199. An act for the relief of Lewis Chappell ;

No. 200. An act to authorize Isaac Wilcox to construct a bridge or culvert over a State road in the county of Morgan, therein described ;

No. 209. An act relative to the seminary of Sullivan county ;

No. 211. An act relative to the board of commissioners of Franklin county ;

No. 202. An act for the relief of Cain Dockery ;

No. 362. An act for the relief of the Trustees of the Union Meeting House for the United Brethren in Christ, in Wayne county ;

No. 437. An act to amend an act entitled an act to incorporate the town of Hagerstown, in Wayne county, approved 19th January, 1846 ;

No. 455. An act declaring the Calumic river a public highway ;

No. 438. An act to amend the road laws of Porter county ;

No. 452. An act in relation to the county seminary property of Vanderburgh county ;

No. 223. An act to vacate an alley in Greencastle.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Graves from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled, to-wit :

No. 191. An act relating to the Sullivan county Library ;

No. 102. An act to appropriate part of the school funds in the county of Warren :

No. 90. An act to amend an act entitled " an act to re-charter Hanover College ;

No. 83. A joint resolution in relation to a mail route from Stilesville, in Hendricks county, to Gosport, in Owen county, in the State of Indiana ;

No. 51. An act to restrict the grand jury in Franklin county to a limited time in their sessions ;

No. 101. An act to change the time of holding the board of equalization in the county of Warren ;

No. 80. A joint resolution relating to the bounty land and three months' extra pay of deceased officers, musicians, and privates engaged in the war against Mexico;

No. 67. A joint resolution in relation to the soldiers of the war with Great Britain;

No. 79. A joint resolution relative to using the lash in the United States Navy;

No. 49. An act extending the jurisdiction of Notaries Public;

No. 134. An act authorizing the citizens of Adams county to vote for, or against re-locating the county seat of said county;

No. 190. An act for the relief of Catharine Schnell, and Dorothy Debler, wife of Lewis Debler, of Vanderburgh county;

No. 207. An act for the relief of Hannah S. Martin;

No. 198. An act to extend the time of holding county courts in Perry county;

No. 264. An act to authorize John C. Hursh, to erect a mill dam across the little St. Joseph's river, in Allen county, Indiana;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Weir,

The House adjourned to meet to-morrow morning at 8½ o'clock.

WEDNESDAY MORNING, 8½ O'CLOCK, JANUARY 16, 1850.

The House met.

On motion by Mr. Robinson of Decatur,
The reading of the journal was dispensed with.

PETITIONS, &C., PRESENTED.

By Mr. Graves,
The temperance memorial of citizens of Kosciusko county;
Which,

On motion,
Was referred to a select committee consisting of
Messrs. Graves, Brown of Randolph, and Hill.
By Mr. May,

The petition of sundry citizens, relative to a State road on the line between Dekalb and Steuben counties ;

Which,

On motion,

Was referred to a select committee consisting of

Messrs. May, Miller of Marshall and Fulton, and Gentry.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions of the House, without amendment :

No. 43. An act to provide for the election of township assessors in the county of Steuben ;

No. 228. An act relative to the sale of school lands in certain counties therein named, and to amend article 13, chapter 13, of the Revised Statutes of 1843 ;

No. 251. A joint resolution on the subject of the public lands in the State of Indiana ;

No. 324. An act to amend an act extending the jurisdiction of justices of the peace in certain criminal cases, approved, Feb. 16, 1848, and also to limit the sessions of the grand jury in Fulton county ;

No. 416. An act to amend the act to incorporate the Peru and Indianapolis Railroad Company, approved, Jan. 16, 1846 ;

No. 421. An act to locate a State Road from Warsaw to Plymouth ;

No. 448. An act to incorporate the Drewersburgh Turnpike Company ;

No. 462. An act for the relief of William Starner and children ;

No. 464. An act to legalize the acts of George R. Proctor, as Agent of Martin county ;

No. 481. An act to provide for the more effectually preventing the sale of intoxicating drinks in the town of Lewisville ;

No. 486. An act relating to the extra pay of Clerk and Auditor of the county of Parke.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendment of the House to the engrossed bill of the Senate

No. 122. An act to give the Probate Judge of the county of Gibson, jurisdiction of writs of habeas corpus ;

Without amendment.

REPORTS FROM COMMITTEES.

Mr. Hart, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The standing committee on roads, to whom was referred bill of the House No. 445, entitled, "An act to re-locate a State road in Tippecanoe county," have had the same under consideration, and directed me to report the same back to the House, and recommend that said bill be laid upon the table ; and your committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Farnsley, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the Senate No. 395, "an act to incorporate the Evansville Insurance Company," have had the same under consideration, and have directed me to report the same back, without amendment, and recommend its passage.

Which bill was read a third time, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations have instructed me to report the following bill and recommend its passage :

No. 512. A bill to incorporate the Jonesboro' and New Cumberland Plank Road Company ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Whinery, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill No. 304, "an act to incorporate the town of Shelbyville," have had the same under consideration, and instructed me to report the same back to the House, and recommend its passage.

Which bill was ordered to a third reading.

Mr. Connor, chairman of the committee on manufactures and commerce, made the following report :

MR. SPEAKER :

The committee on commerce and manufactures to which was referred so much of the Governor's message as relates to the low rate of duties adopted by the passage of the tariff of 1846, have had the same under consideration, and have directed me to report that it is not their peculiar province either to laud or condemn any act that Congress may in their wisdom adopt. To Congress has been given the power to lay and collect taxes, duties, and imposts, and to regulate commerce with foreign nations and between the States. The committee, however, avail themselves of the opportunity to express their concurrence in the sentiments expressed in his Excellency's message, recommending "a thorough geological survey of the State as alike demanded by the interests of agriculture, commerce, and manufactures," but the depressed state of the Treasury forbids Legislation on that subject at present.

Which report was concurred in.

On motion by Mr. Shelby,

Leave of absence was granted to Mr. Campbell in consequence of the sickness of his family.

On motion by Mr. Murray,

The House took up House bill

No. 71. A bill to repeal the proviso therein named,

Which bill had been reported back to the House from the Senate with an amendment.

The question being on concurring in the amendment of the Senate, Was decided in the negative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cole, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill of the House, entitled, "an act to incorporate the Peru and Warsaw Plank Road Company," have had the same under consideration, and have di-

rected me to report the same back with one amendment, and recommend its passage.

Amend 1st section by adding the following named persons to those therein named, "and James S. Frazer, George R. Thralls, and Peter Runyan," in the blank in the first section ;

Which amendment was concurred in.

The bill, as amended, was ordered to be engrossed.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate of the passage of said bill.

Mr. Miller of Marshall and Fulton, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Fulton and Miami counties, asking an amendment to the Peru and Rochester Plank Road company, have had the same under consideration, and have directed me to report the following bill :

No. 513. A bill to amend an act entitled "an act to incorporate the Peru and Rochester Turnpike company ;"

Which was read a first and second times, the rule being suspended therefor.

Mr. Cole moved to lay the bill on the table ;

Which motion prevailed.

Mr. Connor, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of John J. Lang and other citizens of Perry county, in reference to the school law, have instructed me to report that as a bill has passed this General Assembly which fully answers the prayer of said petitioners, further legislation on the subject is unnecessary.

Which report was concurred in.

Mr. Allen, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Joseph Farley and others, asking the Legislature to increase the pay of the Auditor of Putnam county, have had the same under consid-

eration. The committee are satisfied that the present salary is less than what is allowed to any other officer of said county for similar services. But owing to the small numbers of petitioners on that subject, the committee do not consider themselves justified in granting the petitioners their request, and ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Salter, from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of sundry citizens of the county of Jasper, have had the same under consideration, and directed me to report the following bill, and respectfully recommend its passage :

No. 514. A bill to incorporate the Lafayette, Rensselaer, and Chicago Railroad Company ;

Which was read a first and second times, the rule being suspended therefor.

On motion by Mr. Dougherty of Elkhart.

The bill was referred to the committee on corporations.

Mr. Alley, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred Senate bill No. 295, being a bill to establish a court of common pleas in the county of Hancock, have had the same under consideration, and, finding that those remonstrating against the passage of said bill to exceed the petitioners by about one hundred, have instructed me to report the same back without amendment, and recommend its indefinite postponement, and ask that the committee be discharged from its further consideration.

Which report was concurred in.

RESOLUTIONS INTRODUCED.

On motion by Mr. Reed,

Resolved, That leave of absence shall not be granted to any member of this House for any part of the remainder of this session, unless the reason therefor be set forth on the journals, and be approved by a majority of this House.

On motion by Mr. Brown of Shelby,

Resolved, That that part of the standing orders of business which requires, when the orders of the day are taken up, that the messages of the Senate shall be first acted on, be, and the same is hereby, repealed.

Mr. Spencer offered the following preamble and resolution :

WHEREAS, Insinuations have been made against the proposer of this resolution and others in this House, as he is informed, by individuals both in and out of the same, in regard to ordering a larger quantity of stationery than was necessary : therefore,

Be it Resolved, That a committee be appointed to inquire into the matter, and report to this House.

Which were adopted.

The Speaker appointed Messrs. Mickle, Menaugh, and O'Neal said committee.

Mr. Holcomb offered the following resolution :

Resolved, That there be a select committee of one from each Judicial Circuit in the State, whose duty it shall be to ascertain and report to this House what mileage each member of this General Assembly is entitled to charge, and said committee report at its earliest convenience.

On motion by Mr. Niblack,
The resolution was laid on the table.

Mr. Chandler offered the following resolution :

Resolved, That after to-day, this House will have night sessions.

Mr. Edwards moved to lay the resolution on the table.

Which motion prevailed.

Mr. Cole offered the following resolution :

Resolved, That the committee of ways and means be instructed to report a bill to this House reducing the fees of all county officers, at an average rate of 20 per cent.

On motion by Mr. Mickle,
The resolution was laid on the table.

BILLS, &C., INTRODUCED.

By Mr. Butler,

No. 515. A joint resolution relative to the boundary of Texas ;
Which was read a first time.

Mr. Athon moved to reject the joint resolution.

The ayes and noes being demanded by Messrs. Russell and Butler,

Those who voted in the affirmative were,

Messrs. Allen, Alley, Athon, Barker, Bird, Brown of Randolph, Brown of Shelby, Byers, Caldwell, Cleaver, Conaway, Cravens, Delavan, Ellis, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Hicks, Holcomb, Huey, Humphreys, Hunter, Johnson, Landiss, Leviston, Menaugh, Mickle, Miller of M. and F., Morrison, Niblack, O'Haver, Patterson, Reed, Richardson, Ross, Salter, Shepard, Sherrod, Spencer, Thomas, Warriner, Watkins, Wells, Yocum, and Mr. Speaker—49.

Those who voted in the negative were,

Messrs. Beard, Bowen, Burnet, Butler, Carnahan of Fountain, Chandler, Cole, Connor, Defrees, Dodd, Dougherty of Elkhart, Edwards, Elder, Goodwin, Graves, Harvey, Hill, Hillis, Keeney, Knowlton, Lane, May, Miller of O., Millikan, Murray, O'Neal, Orr, Prather, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Shelby, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Weir, Wilson, and Whinery—42.

So the joint resolution was rejected.

By Mr. Harney,

No. 516. A joint resolution on the subject of admitting territories into the Union ;

Which was read a first and second times, the rule being suspended therefor.

Mr. Whinery moved to add to section 1st, the following :

"*Provided*, That neither slavery nor involuntary servitude shall ever be tolerated."

Mr. Caldwell moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Whinery and Butler :

Those who voted in the affirmative were,

Messrs. Athon, Barker, Bird, Brown of Shelby, Byers, Caldwell, Carnahan of Posey, Cleaver, Conaway, Cravens, Ellis, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Hicks, Holcomb, Humphreys, Hunter, Johnson, Landiss, Menaugh, Miller of Owen, Niblack, O'Haver, Reed, Richardson, Sherrod, Thomas, Watkins, Wells, Yocum, and Mr. Speaker—37.

Those who voted in the negative were,

Messrs. Allen, Alley, Beard, Bowen, Brown of Randolph, Burnet,

Butler, Carnahan of Fountain, Chandler, Cole, Connor, Defrees, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Gessie, Goodwin, Graves, Harvey, Hill, Hillis, Keeney, Knowlton, Lane, Leviston, May, Miller of Marshall and Fulton, Millikan, Morrison, Murray, O'Neal, Orr, Patterson, Prather, Robinson of Laporte, Rush, Russell, Salter, Shelby, Spencer, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Warriner, Weaver, Weir, Wilson, and Whinery—53.

So the amendment was not laid on the table. .

On motion by Mr. Salter,

The joint resolution was indefinitely postponed.

On motion by Mr. Cravens,

Leave of absence was granted to Messrs. Dodd and Burnet to set on the committee of free conference on Senate bill No. 4.

Mr. Niblack moved to suspend the order of business.

Which motion did not prevail.

By Mr. Mickle,

No. 517. A bill to incorporate the Decatur, Portland, and Winchester Plank Road Company ;

Was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Butler,

No. 518. A bill to incorporate the Centreville and Jacksonburg Turnpike Company ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Niblack,

No. 519. A bill to authorize Margaret Hurd to file a bill for a divorce in the Martin Circuit Court, and to regulate the proceedings thereon ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Carnahan of Fountain,

No. 520. A bill authorizing the county commissioners of Fountain county to vacate a certain street in Rob Roy, in the county of Fountain ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Defrees,

No. 521. A bill to collect and reprint the School Laws ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Robinson of Decatur,

Referred to the committee on education.

By Mr. Hunter,

No. 522. A bill to amend an act, entitled "An act to incorporate the Indiana Mutual Fire Insurance Company," approved Jan. 30, 1837 ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Salter,

No. 523. A bill to incorporate the Spring Creek and Tippecanoe Hydraulic Company of White county ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion,

Was referred to the committee on corporations.

By Mr. Graves,

No. 524. A bill to regulate the retailing of spirituous liquors in the county of Kosciusko ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

SPECIAL ORDER OF THE DAY.

The hour having arrived to take up House bill, No. 426,

On motion by Mr. Edwards,

The special order was postponed to 11 o'clock.

By Mr. Allen,

No. 525. A bill in relation to the President and Directors of the Terre Haute and Richmond Railroad Company, and to secure the more speedy completion of said road ;

Which was read a first and second times, the rule being suspended therefor.

Mr. Butler moved to refer the bill to the committee on corporations ;

Which motion did not prevail.

On motion,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Delavan,

No. 526. A bill to prevent mechanic's tools from execution ;

Which was read a first and second times, the rule being suspended therefor.

Mr. Shepard moved to amend by adding "all farmer's tools exempted ;"

Which motion prevailed.

The question being on the engrossment of the bill,

Was decided in the negative.

By Mr. Wells,

No. 527. A bill declaring the meaning of an act therein named ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion by Mr. Whinery,

Referred to the committee on education.

By Mr. Chandler,

No. 528. A bill to authorize masters in chancery to take acknowledgments of deeds and other instruments in writing, and legalizing their acts heretofore done ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion by Mr. Whinery,

Referred to the committee on the judiciary.

By Mr. Shelby,

No. 529. A bill further to amend the charter of the Lafayette and Indianapolis Railroad Company ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion by Mr. Patterson,

Referred to the committee on corporations.

On motion by Mr. Stone,

The House took from the table House bill,

No. 278. A bill to repeal an act therein named.

Mr. Edwards moved to amend by adding at the end of the first section :

"So far as the counties of Fayette and Vigo are concerned."

Mr. Holcomb moved to amend the amendment by adding "Gibson county ;"

Which motion prevailed.

The question then recurring on the amendment.

Was decided in the affirmative.

On motion by Mr. Stone,

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Robson,

The order of business was suspended.

Mr. Robson, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred House

bill, No. 502, in relation to chartering a Plank Road Company in Marion county, have had the same under consideration and have directed me to report it back to the House, without amendment, and recommend its passage.

Which bill was ordered to a third reading.

On motion by Mr. Robson,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Bird,

No. 530. A bill to amend article 1, chapter 25, of the revised statutes of 1843, incorporating towns ;

Which was read a first and second times, the rules being suspended therefor, and

On motion by Mr. Alley,

Referred to the committee on corporations.

By Mr. Chandler,

No. 531. A bill supplementary to an act divorces ;

Which was read a first and second times, the rule being suspended therefor, and

On motion,

Referred to the committee on corporations.

By Mr. Wells,

No. 532. A bill to amend an act, entitled " An act for the government of the Indiana Hospital for the Insane ;"

Which was read a first and second times, the rules being suspended therefor, and

On motion by Mr. Robinson of Decatur,

Was referred to the select committee on benevolent and scientific institutions.

On motion by Mr. Robinson of Decatur,

The orders of the day were taken up.

HOUSE BILLS ON THIRD READING.

No. 2. A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations ;

Was read a third time.

Mr. Graves moved to recommit the bill to a select committee, with instructions to strike out all of said bill, except so much thereof, as relates to the election and qualifications of township assessors, so that said assessors, when elected, shall be governed in their assessments by the laws now in force.

Mr. Prather moved to amend the instructions as follows :

Sec. 6. Strike out June and insert 1st Monday in March ; *Provided*, that the provisions of this act shall not conflict with the provision of any local law for one year from the passage of this act.

SPECIAL ORDER OF THE DAY.

The hour having arrived, the House took up House bill, No. 426. A bill to more effectually prevent the sale of spirituous liquors.

Mr. Hillis moved to amend section 1, line 3, by adding the words "without first obtaining license to do so," between the words "liquors" and "shall ;"

Which motion did not prevail.

Mr. Patterson offered the following amendment:

Strike out all after the enacting clause and insert the following :

Sec. 1. That it shall be lawful for the qualified voters of each township, in the several counties of this State, on the first Monday of August next, and annually thereafter, to vote viva voce for or against a license to retail spirituous liquors.

Sec. 2. If a majority of all the votes given, in any county of this State, shall be in favor of a license, then and in that case, the board doing county business of such county, shall grant a license to such person or persons, as shall apply for the same, according to the provisions of this act, as hereinafter provided for.

Sec. 3. That any person or persons hereafter, who may desire to retail spirituous liquors in any county of this State, shall apply to the board doing county business in the county in which he, she, or they desire to keep such retailing establishment; which application shall be, by petition, signed by at least twenty-four free hold tax-payers, who are also house holders in the immediate neighborhood where such retailing establishment is to be erected, which petition shall set forth that the person or persons wishing to retail spirituous liquors as aforesaid, is of good moral character, and also, that in signing the said petition, the signers thereto, recommend such person or persons, as being well calculated to keep such establishment with decency and in good order.

Sec. 4. No county board in any county of this State, shall grant a license to retail spirituous liquors in their respective counties, for a less sum than fifty dollars, nor shall they be allowed to charge over one hundred and fifty dollars for the same, in any case. And it is hereby made the duty of the county board, before whom any such application is made, before granting the license, to cause the person or persons so applying, to give bond payable to the State of Indiana, in the penal sum of one thousand dollars, to be approved and accepted by the said board doing county business, conditioned for the faithful compliance with the laws of this State, on the part of the person or persons so licensed to retail spirituous liquors and to cause the same to be complied with by other persons, while about his, her, or their retailing establishment.

Sec. 5. That any person, being a licensed retailer of spirituous liquors, who shall barter, sell, or give, or cause to be bartered, sold, or given, any spirituous liquors to any person who is intoxicated, or

any minor, or to any person notoriously in the habit of becoming intoxicated, shall be liable on his, her, or their bond, for each offence, five dollars, one-half to the prosecutor and one-half to the common school fund of the proper county, and any person is hereby authorized to prosecute any violation of this act, which may come within his, her, or their knowledge.

Sec. 6. Any person or persons who shall hereafter barter, sell, or give in exchange, for any other commodity, any spirituous liquors, by retail, and not having license for that purpose, shall be liable to a fine of five dollars, for each offence, on conviction before any court having jurisdiction of the same. And the landlord shall be responsible, wherever it shall appear that the offender is not able, or property cannot be found whereon to make the fine and costs.

Sec. 7. This act to be in force from and after its passage; and all laws and parts of laws contravening the provisions of this act, be and the same are hereby repealed.

Mr. Mickle moved to amend the amendment by striking out "a majority of all the votes given," and insert "a majority of the legal votes of said county."

Mr. Wilson moved to lay the amendment and the amendment to the amendment on the table;

The ayes and noes being demanded by Messrs. Patterson and Wilson:

Those who voted in the affirmative were,

Messrs. Allen, Alley, Athon, Barker, Bird, Bowen, Brown of Randolph, Burnet, Butler, Byers, Caldwell, Carnahan of Fountain, Chandler, Conaway, Conner, Cravens, Dougherty of Boone, Edwards, Elder, Farnesly, Gessie, Goodwin, Graves, Harvey, Hicks, Hill, Hillis, Holcomb, Hunter, Johnson, Keeney, Knowlton, Landiss, Lane, Leviston, Miller of Marshall and Fulton, Miller of Owen, Millikan, Murray, Niblack, O'Haver, O'Neal, Orr, Prather, Richardson, Robinson of Decatur, Russell, Shelby, Sherrod, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Warriner, Weaver, Wilson, Whinery, Wright, and Yocum—61.

Those who voted in the negative were,

Messrs. Beard, Brown of Shelby, Carnahan of Posey, Cleaver, Cole, Defrees, Delavan, Dougherty of Elkhart, Ellis, Essex, Gentry, Greathouse, Harney, Hart, Huey, May, Mickle, Morrison, Patterson, Reed, Robinson of Laporte, Rush, Salter, Shepard, Watkins, and Weir—26.

So the amendment and the amendment to the amendment were laid on the table.

Mr. Wilson moved to strike out the 10th and 11th sections of the bill;

The ayes and noes being demanded by Messrs. Russell and Warriner :

Those who voted in the affirmative were,

Messrs. Allen, Alley, Athon, Barker, Bird, Bowen, Brown of Shelby, Byers, Cleaver, Conaway, Connor, Delavan, Graves, Hillis, Landiss, Menaugh, Rush, Shepard, Spencer, Stone, Wells, Weir, Wilson, and Yocum—24.

Those who voted in the negative were,

Messrs. Beard, Brown of Randolph, Burnet, Butler, Caldwell, Carnahan of Fountain, Carnahan of Posey, Chandler, Cravens, Defrees, Dougherty of Boone, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Goodwin, Greathouse, Harney, Hart, Harvey, Hicks, Hill, Holcomb, Humphreys, Hunter, Johnson, Keeney, Knowlton, Lane, Leviston, May, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikan, Morrison, Niblack, O'Haver, O'Neal, Orr, Prather, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Robson, Russell, Salter, Shelby, Stewart, Stoops, Summers, Thom, Thomas, Tinbrook, Warriner, Watkins, Weaver, Whinery, and Wright—63.

So the motion did not prevail.

Mr. Cleaver moved to amend the first section by adding to the third line after the word "liquors," "wine, cider, beer, and tobacco ;"

Mr. Wilson moved to indefinitely postpone the bill ;

The ayes and noes being demanded by Messrs. Butler and Wilson :

Those who voted in the affirmative were,

Messrs. Alley, Athon, Barker, Bird, Bowen, Brown of Shelby, Byers, Caldwell, Carnahan of Posey, Cleaver, Conaway, Connor, Delavan, Dougherty of Boone, Dougherty of Elkhart, Edwards, Essex, Farnesly, Gentry, Goodwin, Graves, Greathouse, Harney, Hart, Hillis, Huey, Humphreys, Johnson, Landiss, Lane, Miller of Owen, Morrison, Niblack, Orr, Reed, Richardson, Robinson of Decatur, Rush, Salter, Shepard, Spencer, Thomas, Warriner, Wells, Weir, Wilson, Wright, and Yocum—47.

Those who voted in the negative were,

Messrs. Allen, Beard, Brown of Randolph, Burnet, Butler, Carnahan of Fountain, Chandler, Cole, Cravens, Defrees, Elder, Ellis,

Gessie, Harvey, Hicks, Hill, Holcomb, Keeney, Knowlton, Leviston, May Menaugh, Miller of Marshall and Fulton, Millikan, O'Haver, O'Neal, Patterson, Prather, Robinson of Laporte, Robson, Russell, Shelby, Stewart, Stone, Stoops, Summers, Thom, Tinbrook, Watkins, and Whinery—40.

So the bill was indefinitely postponed.

On motion by Mr. Alley,
The House adjourned.

1½ o'clock, P. M.

The House met.

The Speaker laid before the House the following communication from the Commissioner of the Hospital for the Insane :

To the Hon. the Speaker,

And members of the House of Representatives:

The undersigned, a Commissioner of the Hospital for the Insane, would represent to your honorable body, that the most unaccountable mal-practices have prevailed on the part of officers and attendants towards patients, for several months past ; that no efficient measures have hitherto been adopted by the board to prevent them. That your petitioner had prayed the intervention of the committee on benevolent institutions in the Senate, for this purpose, who had declined acting therein, for want of time. That a thorough investigation of its officers is demanded, alike by the interests of the Institution, and the character of those who have hitherto participated in its management ; and, for these reasons, among others, he would most respectfully, but earnestly pray your honorable body to institute such investigation, through a committee appointed from your honorable body, or provide an impartial commission, selected from various parts of the State, for that purpose, or in such other mode as, in the opinion of your honorable body, shall be most likely to elicit the truth, and conduce to promote the interests of the Hospital.

With great respect,

Your obedient servant,

L. DUNLAP,

Pres. of the Board of the I. H. Insane.

Which,

On motion by Mr. Athon,

Was referred to the committee on benevolent and scientific institutions.

HOUSE BILLS ON THIRD READING.

The House then resumed the consideration of House bill

No. 2. A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations;

Which was under consideration when the special order came up.

The question being on the adoption of the amendment to the instructions offered by Mr. Graves.

Mr. Johnson moved to lay the amendment to instructions on the table;

Which motion prevailed.

Mr. Hill moved to amend the instructions by excepting the county of Rush.

On motion by Mr. Lane,

The amendment was laid on the table.

Mr. Niblack moved to amend the instructions as follows:

Amend by inserting in the proper place—

“Provided, That the county of Martin shall be exempted from the provisions of this act;”

Which motion did not prevail.

On motion by Mr. Orr,

The bill was amended by inserting in the proper place the words
“or at interest.”

Mr. Alley called the previous question;

Which was seconded by the House.

The question then being,

Shall the main question be now put?

Was decided in the affirmative.

The main question being,

Shall the bill pass?

The ayes and noes being demanded by Messrs. Athon and Spencer:

Those who voted in the affirmative were.

Messrs. Allen, Alley, Beard, Carnahan of Posey, Cole, Elder, Ellis, Gentry, Harney, Hicks, Huey, Hunter, Johnson, Lane, Leviston, Miller of Marshall and Fulton, O'Haver, O'Neal, Orr, Prather, Reed, Robinson of Decatur, Spencer, Thomas, Tinbrook, Warriner, Whinery, Wright, and Yocum—29.

Those who voted in the negative were,

Messrs. Athon, Barker, Bird, Bowen, Burnet, Butler, Byers, Caldwell, Carnahan of Fountain, Cleaver, Connor, Defrees, Dodd, Edwards, Essex, Farnesly, Gessie, Goodwin, Graves, Greathouse, Hart, Harvey, Hill, Hillis, Humphreys, Keeney, Knowlton, Landiss, May, Menaugh, Miller of Owen, Millikan, Morrison, Murray, Niblack, Richardson, Robinson of Laporte, Rush, Russell, Salter, Shelby, Shepard, Sherrod, Stewart, Stoops, Summers, Thom, Weaver, Weir, Wilson, Withers, and Mr. Speaker—52.

So the bill did not pass.

No. 82 A joint resolution on the subject of admitting slave territory ;

Was read a third time.

Mr. Cleaver moved to indefinitely postpone the joint resolution.

The ayes and noes being demanded by Messrs. Butler and Murray :

Those who voted in the affirmative were,

Messrs. Alley, Athon, Barker, Bird, Brown of Shelby, Byers, Caldwell, Carnahan of Posey, Cleaver, Cravens, Ellis, Essex, Farnsley, Gentry, Greathouse, Harney, Hart, Hicks, Holcomb, Humphreys, Hunter, Johnson, Landiss, Miller of Owen, Niblack, O'Haver, Richardson, Sherrod, Thomas, Wells, Weir, Withers, Yocum, and Mr. Speaker—33.

Those who voted in the negative were,

Messrs. Beard, Bowen, Burnet, Butler, Carnahan of Fountain, Chandler, Cole, Connor, Defrees, Dodd, Dougherty of Elkhart, Edwards, Elder, Gessie, Goodwin, Graves, Harvey, Hill, Hillis, Keeney, Knowlton, Lane, Leviston, May, Miller of Marshall and Fulton, Millikan, Morrison, Murray, O'Neal, Orr, Prather, Robinson of Laporte, Rush, Russell, Salter, Shelby, Spencer, Stewart, Stoops, Summers, Thom, Tinbrook, Wilson, Whinery, and Wright—44.

So the joint resolution was not indefinitely postponed.

Mr. Spencer moved to recommit the joint resolution to a select committee, with the following instructions :

Strike out the joint resolution from the resolving clause, and insert the following :

That the institution of slavery ought not to be introduced into any territory where it does not now exist ; and that inasmuch as New Mexico and California are in fact and in law free territories, therefore our Senators are hereby instructed, and our Representatives requested, to use their votes and influence to prevent the introduction

of slavery within their limits; and it is hereby made the duty of the Governor to forward to each of our members in Congress a copy of this joint resolution.

Mr. Butler called the previous question.

Which was seconded by the House.

The question then being,

"Shall the main question be now put?"

Was decided in the affirmative.

The main question being,

"Shall the joint resolution pass?"

The ayes and noes being called for by Messrs. Lane and Butler,

Those who voted in the affirmative were,

Messrs. Allen, Beard, Bowen, Burnet, Butler, Carnahan of Fountain, Chandler, Cole, Connor, Defrees, Dodd, Dougherty of Elkhart, Elder, Gessie, Goodwin, Graves, Harvey, Hill, Hillis, Keeney, Knowlton, Lane, Leviston, May, Menaugh, Miller of M. and F., Millikan, Morrison, Murray, O'Neal, Orr, Prather, Robinson of Decatur, Robinson of Laporte, Robson, Rush, Russell, Salter, Shelby, Stewart, Stoops, Summers, Thom, Tinbrook, Watkins, Weaver, Wilson, Whinery, and Wright—49.

Those who voted in the negative were,

Messrs. Alley, Athon, Barker, Bird, Brown of Shelby, Byers, Caldwell, Carnahan of Posey, Cleaver, Cravens, Edwards, Ellis, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Hicks, Humphreys, Hunter, Landiss, Miller of O., Niblack, O'Haver, Reed, Richardson, Sherrod, Spencer, Thomas, Wells, Weir, Withers, Yocum, and Mr. Speaker—35.

So the joint resolution passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Withers,

The order of business was suspended.

Mr. Withers introduced

No. 533. A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

The House resumed the consideration of House bills on third reading.

No. 267. A joint resolution on the subject of increasing the common school fund ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Dodd,

The order of business was suspended.

Mr. Dodd, from a joint committee of free conference, made the following report :

MR. SPEAKER :

The committee of free conference, to whom was referred the subject of reconciling the disagreement of the two houses upon bill of the Senate No. 4. "A bill to provide for the calling a convention of the people of the State of Indiana, to revise, amend, or alter the Constitution of said State," have had the same under consideration, and have directed me to report to the House, that said committee have agreed that the House recede from its amendment to said bill.

The question being on concurring in the report of the committee ;
The ayes and noes being demanded by Messrs. Wilson and Athon :

Those who voted in the affirmative were,

Messrs. Athon, Barker, Beard, Bowen, Burnet, Caldwell, Carnahan of F., Carnahan of P., Cravens, Defrees, Dodd, Dougherty of E., Edwards, Elder, Ellis, Essex, Farnesly, Gentry, Gessie, Graves, Greathouse, Harney, Hart, Harvey, Hicks, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Keeney, Landiss, Menaugh, Mickle, Miller of M. and F., Murray, Niblack, O'Haver, Patterson, Richardson, Robson, Rush, Russell, Salter, Sherrod, Spencer, Stoops, Thomas, Warriner, Wells, Withers, Whinery, Wright, and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Allen, Alley, Brown of S., Butler, Byers, Cleaver, Cole, Conner, Delavan, Dougherty of B., Goodwin, Hill, Knowlton, Lane, Leviston, May, Miller of O., Millikan, Morrison, O'Neal, Orr, Prather, Reed, Robinson of D., Robinson of Laporte, Ross, Shelby, Shepard, Stewart, Summers, Thom, Tinbrook, Watkins, Weaver, Weir, Wilson, and Yocum—37.

So the report was concurred in.

Ordered, That the Clerk inform the Senate thereof.

The House resumed the consideration of House bills on third reading.

No. 274. A bill defining the duties of County Commissioners ;
Was read a third time.

The question being on the passage of the bill,
Was decided in the negative.

No. 292. A bill to revive an act to provide for the support of the Indigent Blind of the State of Indiana ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 361. A bill to amend article 2d, of chapter 45, of the Revised Statutes of 1843, in relation to actions of ejectment and occupying claimants ;

Was read a third time.

The question then being on the passage of the bill,
Was decided in the negative.

No. 363. A bill to attach a portion of Congressional township No 4, range 9 west, to township No. 3, range 9 west, in Gibson county ;

No. 364. A bill to incorporate the Fort Wayne and Wolf Lake Turnpike Company ;

No. 366. A bill to amend an act entitled, "An act supplementary to an act, to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved, January 19th, 1846 ;

No. 368. A bill changing the mode of doing county business in the county of Crawford ;

No. 372. A bill to reduce the fees for recording deeds and other conveyances in the county of Warrick ;

No. 378. A bill to vacate a certain road therein named ;

No. 380. A bill to amend the road law in Jefferson county ;

No. 391. A bill to repeal an act entitled, "An act to regulate clerk's fees in the Probate Court of Parke county, approved, January 16th, 1849 ;

No. 382. A bill to amend an act entitled, "An act to incorporate the town of Greencastle, in the county of Putnam," approved, January 16th, 1849 ;

Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 384. A bill relative to the settlement of estates ;

Was read a third time.

On motion by Mr. Niblack,

Was laid upon the table.

No. 387. A bill to repeal the law authorizing the township trustees of the county of Warren, and State of Indiana, to assess a tax ;

No. 388. A bill to repeal certain sections of an act therein named ;

No. 389. A bill to change the name of George Searle Stephens of Vanderburgh county ;

No. 393. A bill to repeal certain acts therein named, as far as the same applies to the county of Randolph ;

No. 394. A bill concerning the easement of the Valley Mills in Allen county ;

No. 396. A bill to raise the salaries of the Associate and Probate Judges in the county of Warren ;

No. 397. A bill to change the mode of doing county business in the county of Owen ;

No. 398. A bill to amend section 27, of chapter 7, of the Revised States of 1843, so far as it relates to the counties of Greene and Posey ;

No. 401. A bill to authorize certain officers and other persons to administer certain oaths, and in other cases therein specified ;

No. 403. A bill legalizing the election of trustees in the town of Cloverdale, in Putnam county ;

No. 405. A bill to amend the tenth section, of chapter twenty-one of the Revised Statutes of 1843 ;

No. 406. A bill to increase the pay of the Probate Judges of the counties of Knox, Kosciusko, and Randolph ;

No. 407. A bill to repeal part of an act entitled "an act to fix the time of holding courts in the first judicial circuit, and the probate courts of Tippecanoe county," approved January 2, 1849 ;

No. 409. A bill concerning crimes and punishment ;

No. 410. A bill to reduce the fees of the recorder of Greene county ;

Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 412. A bill to amend an act entitled "an act to confine voters to their respective townships," approved January 13th, 1845, so far as the same relates to the county of Martin ;

Was read a third time.

Mr. Carnahan of Posey moved to lay the bill on the table ;

Which motion did not prevail.

The question being, "shall the bill pass ?"

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof."

No. 413. A bill to amend the 11th article, of the 12th chapter, of the Revised Laws of 1843, so far as Putnam county is concerned ;

No. 414. A bill to change the name of Abraham Moore to that of Cyrus Moore Dunham ;

No. 415. A bill to provide for the election of trustees in the town of Lafayette by single districts ;

No. 417. A bill for the relief of David Baker of Cass county ;

No. 424. A bill to amend an act entitled "an act to revise and consolidate the several acts of the General Assembly relative to

laying out, opening, changing, and vacating public highways, and the erection and repairs of bridges, and to amend the same," approved January 17, 1849, so far as relates to Gibson county ;

No. 425. A bill to raise revenue for the year 1850 ;

Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 431. A bill relative to a joint railroad and joint passenger depot at Indianapolis ;

Was read a third time.

Mr. Cole moved to refer the bill to a select committee with the following instruction :

Amend by adding at the conclusion of the section the following proviso—

Provided, however, that nothing herein contained shall be so construed as to permit or allow the companies of either of them so uniting in the construction of a common track and passenger depot, to pass through or cut, with any such joint, common, or other track the property of any one of the companies so uniting, or the property of any other Railroad company, except upon such terms as may be mutually agreed upon between the parties interested ;

Which motion prevailed.

The Speaker appointed Messrs. Cole, Robson, and Harvey said committee.

No. 435. A bill to vacate a certain State road in the county of St. Joseph ;

Was read a third time.

On motion by Mr. Whinery,

The bill was laid on the table.

No. 436. A bill to vacate part of a State road therein named ;

No. 463. A joint resolution relative to the donation of certain lands in the Vincennes land district for the purpose of sustaining and encouraging Common Schools ;

No. 470. A bill to authorize suits to be brought in the name of the State of Indiana upon the relation of County Auditors in certain cases ;

No. 473. A bill to repeal an act, entitled "An act to levee the Wabash river on Shaker Prairie," approved January 14, 1846 ;

No. 475. A bill changing the mode of electing United States Senators ;

No. 480. A bill to incorporate the Vincennes and Orleans Railroad Company ;

No. 500. A bill to authorize the appointment of a Private Secretary to the Governor ;

Were each read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Prather moved to adjourn ;
Which motion did not prevail.

SENATE BILLS ON THIRD READING.

No. 91. A bill to amend the 138th section of the 45th chapter of the Revised Statutes of 1843 ;

Was read a third time.

Mr. Prather moved to lay the bill on the table ;

Which motion did not prevail.

The question then recurring on the passage of the bill,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hillis moved that the House adjourn ;

Which motion did not prevail.

No. 98. A bill to repeal an act authorizing jailors to discharge prisoners in certain cases ;

Was read a third time.

On motion by Mr. Wright,

Laid on the table.

Mr. Salter moved to adjourn ;

Which motion did not prevail.

On motion by Mr. Carnahan of Posey,

The order of business was suspended.

Mr. Carnahan of Posey, offered the following resolution :

Resolved, That the use of the Hall of Representatives be given to the Rev. A. B. Smolnikar, on Sabbath next, to deliver an Address on Christianity, at 3 o'clock, P. M., in English, and at candle lighting in German ;

Which resolution was adopted.

Mr. Allen moved to suspend the order of business, and take up bill No. 229 ;

Which motion did not prevail.

No. 125. A bill for the purpose of confirming and carrying out all charitable devises, bequests, donations, gifts, and legacies ;

Was read a third time.

On motion by Mr. Hillis,

The bill was laid on the table.

Mr. Hillis moved to adjourn ;

Which motion did not prevail.

Mr. Brown of Shelby, moved to suspend the order of business and take up Senate bill,

No. 250. A bill to incorporate the Shelbyville and Indianapolis Rail Road Company, and for other purposes ;

Which motion prevailed.

Mr. Brown moved to refer the bill to a select committee.

On motion by Mr. Hillis,

The bill was referred to the committee on corporations.

Mr. May, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bill have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled :

No. 43. An act to provide for the election of township assessors in the county of Steuben.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

A message from his Excellency, the Governor, by Mr. Tarkington, the executive messenger :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills :

No. 134. An act to authorize the citizens of Adams county to vote for or against the re-location of the county seat of said county ;

No. 63. An act in relation to Lamasco city ;

No. 207. An act for the relief of Hannah S. Martin ;

No. 198. An act to extend the time of holding county courts in Perry county ;

No. 190. An act for the relief of Catharine Schnell and Dorothy Debler, (wife of Louis Debler) of Vanderburg county ;

No. 49. An act extending the jurisdiction of Notaries Public ;

No. 79. A joint resolution relative to using the lash in the United States Navy ;

No. 67. A joint resolution in relation to soldiers of the war with Great Britain ;

No. 80. A joint resolution relating to the bounty land, and three months extra pay of deceased officers, musicians, and privates, engaged in the war against Mexico ;

No. 114. An act to incorporate the Jasper County Plank Road Company ;

No. 264. An act to authorize John C. Hursh to erect a mill dam across the Little St. Joseph's river, in Allen county, Indiana ;

No. 390. An act to incorporate the Covington Draw Bridge Company ;

No. 34. An act to incorporate the White county Monticello Bridge Company ;

No. 290. An act to incorporate the Noblesville Bridge Company ;

No. 299. An act to authorize the County Commissioners of the county of Pike to levy a road tax, so far as the same relates to the county of Pike ;

No. 312. An act to organize the county of Starke ;

No. 245. An act to amend an act entitled "an act to incorporate the town of Franklin, Johnson county, Indiana," passed January 15, 1838 ;

No. 191. An act relating to the Sullivan County Library ;

No. 395. An act to incorporate the Trustees of St. Paul's Church and of St. Joseph's School Society of New Alsace, in Dearborn county, Indiana ;

No. 51. An act to restrict the grand jury in Franklin county to a limited time in their sessions ;

No. 101. An act to change the time of holding the board of equalization in the county of Warren ;

No. 102. An act to appropriate part of the school funds in the county of Warren ;

No. 83. A joint resolution in relation to a mail route from Stilesville, in Hendricks county, to Gosport, in Owen county, in the State of Indiana ;

No. 90. An act to amend an act entitled "an act to re-charter Hanover College ;"

No. 199. An act for the benefit of Lewis Chappel ;

No. 223. An to vacate an alley in Greencastle ;

No. 452. An act relative to the county seminary property of Vanderburgh county ;

No. 438. An act to amend the road laws in Porter county ;

No. 455. An act declaring the Calumic river a public highway ;

No. 136. A joint resolution in relation to publishing an act therein mentioned ;

No. 154. An act to amend an act entitled "an act authorizing the construction of plank roads," approved January 15th, 1840 ;

No. 168. An act to incorporate the Evangelical Lutheran St. John's Church, in Dearborn county ;

No. 185. An act to change the time of holding the April terms of the commissioners court of Jefferson county ;

No. 200. An act to authorize Isaac Wilcox to construct a bridge or culvert over a State road in the county of Morgan, therein described ;

No. 45. An act to amend the forty-third section of the revised road law of 1849 ;

No. 211. An act relative to the board of commissioners of Franklin county ;

No. 202. An act for the relief of Cain Dockry ;

No. 135. An act regulating the pay of the probate judge of Vanderburgh county ;

No. 150. An act to exempt from the payment of state and county tax, the Olive Branch Church, in Jefferson county ;

No. 169. A joint resolution in relation to donating the public lands to actual settlers ;

No. 159. An act to locate a state road in the counties of Miami and Wabash ;

No. 174. An act to authorize the commissioners of Carroll county to employ a physician for the poor ;

No. 184. An act to amend the charter of the city of Evansville ;

No. 163. An act providing for the sale of the school section in congressional township No. 26 north, of range 3 west, lying in the counties of White and Carroll ;

No. 183. An act to regulate the fees of jurors in the county of Adams, and other counties therein named ;

No. 234. An act relative to the Union Plank Road Company, in Laporte county ;

No. 194. An act to authorize Joseph A. Williams and John Morgan to erect and maintain a mill dam across the Wabash river at or near Bluffton, in Wells county ;

No. 437. An act to amend an act entitled "an act to incorporate the town of Hagerstown, in Wayne county," approved 19th January, 1846 ;

No. 432. An act to prevent the unnecessary obstruction of Otter creek, in the county of Vigo ;

No. 362. An act for the relief of the Trustees of Union Meeting House, for the United Brethren in Christ, in Wayne county ;

No. 209. An act relative to the Seminary in Sullivan county ;

All of which originated in the House of Representatives.

On motion by Mr. Wilson,

The order of business was suspended.

Mr. Wilson introduced

No. 534. A joint resolution in regard to the completion of mileage of members of the General Assembly ;

Which was read a first time and passed to a second reading.

Mr. Patterson moved to indefinitely postpone the joint resolution.

The ayes and noes were demanded by Messrs Lane and Goodwin.

On motion by Mr. Alley,

The House adjourned.

THURSDAY MORNING, 8½ O'CLOCK, JANUARY 17, 1850.

The House met.

On motion by Mr. Summers,

The reading of the journal was dispensed with.

Mr. Goodwin moved to take from the table House bill No. 149, and place the same on the files of the House.

Which motion did not prevail.

Mr. Shepard moved to take up Senate bill

No. 365. A bill to amend the charter of the Evansville and Illinois Railroad Company ;

Which motion prevailed.

On motion by Mr. Shepard,

The bill was referred to a select committee, consisting of Messrs. Shepard, Edwards, and Greathouse.

Mr. Niblack presented the petition of D. R. Dunihue and others; also, the petition of Isaac McCarty and others, for a railroad charter from Evansville through the counties of Vanderburgh, Warrick, Pike, Dubois, and Martin, to Bloomington ;

Which,

On motion,

Was laid on the table.

REPORTS FROM COMMITTEES.

Mr. Dougherty of Boone, from the committee on elections, made the following report:

MR. SPEAKER :

The standing committee on elections, to whom was referred a resolution instructing said committee to inquire into the expediency of changing the time of closing the polls at the respective places of holding elections in this State, have had the same under consideration, and directed me to report, that in the opinion of said committee, it is inexpedient to attempt any change at this time, and ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Wells, from the committee on ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means, to whom was referred bill of the House No. 262, and pending amendments, providing an equivalent in money in lieu of stationery, as now furnished members of the General Assembly, have had the same under consideration, and directed me to report the same back to the House and recommend its indefinite postponement.

Which report was concurred in.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred bill of the House No. 465, entitled "an act to provide for the payment of a certain debt of the town of Lafayette," have duly considered said bill, and have directed me to report that in the opinion of said committee, for the legislature to pass said bill would be assuming powers not granted by the constitution, inasmuch as said bill creates liabilities based upon pre-existing facts ; the committee therefore recommend the indefinite postponement of said bill, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

On motion by Mr. Wier,

The order of business was suspended, and the following bill of the House taken up :

No. 336. A bill to amend an act entitled "an act for the election of township assessors in the several counties therein named, and defining their duties," approved Jan. 27, 1847 ;

On motion,

The bill was referred to a select committee, consisting of Messrs. Weir, Whinery, and Burnet.

On motion by Mr. Graves,

The order of business was suspended, and the following bill of the House taken up:

No. 348. A bill to enable the qualified voters of district No. 4, in township No. 31 north, of range 6 east, in Kosciusko county, to levy a tax in said district, sufficient to build a school house ;

On motion by Mr. Graves,

The bill was referred to a select committee.

The Speaker appointed Messrs. Graves, Brown of Randolph, and Shepard said committee.

Mr. Hunter, chairman of the committee on the affairs of the town of Indianapolis, made the following report :

MR. SPEAKER :

The committee on affairs of the town of Indianapolis, to whom was referred bill, No. 511, "A act authorizing the permanent occupation, by a Law Institution and Medical College, of the north-west acre of square, No. 25, in the city of Indianapolis," have had the same under consideration and unanimously instructed me to report the bill back to the House, and recommend that said bill be indefinitely postponed ; and the committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Farnsley, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred House bill, No. 523, an act to incorporate the Spring Creek and Tippecanoe Hydraulic Company of White county, have had the same under consideration and directed me to report the same and recommend its passage.

Which bill was ordered to be engrossed.

On motion by Mr. Slater,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the Senate, No. 250, entitled "An act to incorporate the Shelbyville and Indianapolis Railroad Company and for other purposes," have had the same under consideration and have directed me to report the bill back to the House, without amendment, and respectfully recommend its passage.

Mr. Hill moved to recommit the bill with the following instructions :

That the Knightstown and Shelbyville Railroad Company, and Edinburg lateral branch Railroad Company, shall be entitled to the same privileges as the other companies mentioned in the present bill, and add to the last section, "and to the acceptance of all of said companies."

Mr. Brown of Shelby, called the previous question ;

Which was seconded by the House.

The question being,

"Shall the main question be now put?"

Was decided in the affirmative.

The question then recurring on the main question, which was —

"Shall the bill be ordered to a third reading?"

The ayes and noes being demanded by Messrs. Burnet and Brown of Shelby :

Those who voted in the affirmative were,

Messrs. Allen, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Byers, Carnahan of Fountain, Carnahan of Posey, Chandler, Cleaver, Cole, Conaway, Cravens, Delavan, Dougherty of Boone, Dougherty of Elkhart, Edwards, Ellis, Gentry, Gessie, Goodwin, Harney, Harvey, Hicks, Huey, Humphreys, Hunter, Johnson, Keeney, Lane, Lank, Leviston, May, Mickle, Miller of Marshall and Fulton, Niblack, O'Haver, O'Neal, Orr, Patterson, Reed, Richardson, Robinson, of Decatur, Robson, Ross, Russell, Salter, Shelby, Shepard, Spencer, Stoops, Thom, Tinbrook, Watkins, Weaver, Wright, and Yocum—58.

Those who voted in the negative were,

Messrs. Alley, Athon, Barker, Beard, Butler, Caldwell, Connor, Dodd, Elder, Essex, Farnesly, Hart, Hill, Hillis, Landiss, Millikan, Morrison, Murray, Prather, Rush, Sherrod, Stewart, Stone, Summers, Wells, Wilson, and Mr. Speaker—27.

So the bill was ordered to a third reading.

Mr. Robinson of Decatur, moved to suspend the rules and read the bill a third time ;

Which motion did not prevailed.

Mr. Brown of Randolph, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House No. 529, to farther amend the charter of the Lafayette and Indianapolis Railroad Company, have had the same under consideration, and directed me to report the same back to the House without any amendment, and recommend its passage.

Which bill was ordered to be engrossed.

On motion by Mr. Shelby,

The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Whinery, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill No. 514, "An act to incorporate the Lafayette, Rensselaer, and Chicago Railroad Company," have had the same under consideration, and unanimously instructed me to report the same back without amendment, and recommend its indefinite postponement.

The question being on concurring in the report ;

The ayes and noes being demanded by Messrs. Salter and Robinson of Decatur :

Those who voted in the affirmative were,

Messrs. Alley, Athon, Beard, Bowen, Brown of Randolph, Burnet, Caldwell, Chandler, Cole, Conner, Cravens, Defrees, Dougherty of Elkhart, Edwards, Elder, Ellis, Essex, Farnesley, Gentry, Graves, Harney, Hart, Harvey, Hicks, Hillis, Holcomb, Humphreys, Keeney, Knowlton, Lane, Leviston, May, Miller of Owen, Millikan, Morrison, Murray, O'Neal, Orr, Robinson of Laporte, Robson, Ross, Rush, Shelby, Sherrod, Stewart, Stone, Stoops, Summers, Thom, Thomas, Tinbrook, Watkins, Wells, Weir, Whinery, Yocum, and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Bird, Byers, Carnahan of Posey, Dodd, Dougherty of Boone, Goodwin, Greathouse, Huey, Hunter, Johnson, Lank, Menough, Miller of Marshall and Fulton, Niblack, O'Haver, Reed, Salter, Spencer, Warriner, and Wright—20.

So the report was concurred in.

Mr. Brown of Randolph, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House No. 530, to amend the act incorporating towns, article 1, chapter 25, of the Revised Statutes of 1843, have had the same under consideration, and directed me to report the bill back as inexpedient, and recommend its indefinite postponement.

Which report was *not* concurred in.

Mr. Edwards moved to strike out the words in the 1st section, where they consecutively occur as follows :

“ In number and value of assessment ; ”

Which motion prevailed.

The bill as amended was ordered to be engrossed.

Mr. Robson, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred House bill No. 275, providing for a general law for organizing and regulating Telegraph companies, have had the same under consideration, and have directed me to report the same back, with the following amendments, and recommend its passage when so amended :

Add the following section :

Sec. 12. The Legislature reserves the privilege of altering or repealing this act at any time, when the public good requires it. And all companies organizing under this act, the president and directors, or managers thereof shall be individually liable for all debts and contracts, over and above the amount of stock paid to such company, within the State of Indiana ;

Which amendment was concurred in.

On motion by Mr. Edwards,
The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Mickle,
The order of business was suspended.

Mr. Mickle, chairman of the committee of ways and means, made the following report :

MR. SPEAKER :

The committee of ways and means, whose duty it is, have prepared and herewith report a specific appropriation bill, fixing the pay of officers of the General Assembly, and allowing such other claims as they deemed just, and respectfully recommend its passage :

No. 535. A bill making specific appropriations for the year 1849-50 ;

Which was read a first time and passed to a second reading.

Mr. Robson, chairman of the committee on public buildings, made the following report :

MR. SPEAKER :

The joint committee on public buildings, to whom was referred the communication of J. B. Dillon, Esq, in relation to certain repairs to the State House, as recommended by Messrs. Willis and Bradley, architects, who have examined and made the accompanying estimate, have had the same under consideration, and have made a personal examination of the building, and especially those parts referred to by said architects, and have directed me to make the following report :

That in the opinion of said joint committee, it is inexpedient to make the expenditure recommended by said architects ; but in the opinion of said committee, it is necessary for this General Assembly to make an appropriation not exceeding \$700, to be expended under the supervision of the Librarian, to make such repairs as may be necessary from time to time, to-wit : plastering, painting, and repairing roof, &c. ; and in accordance with the above report, the committee have directed me to report the accompanying bill, and recommend its passage :

No. 536. A bill making an appropriation for repairing the State House ;

Was read a first time and passed to a second reading.

Mr. Cole, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill of the House No. 431, entitled " an act relative to a joint Railroad and joint passage depot at Indianapolis," have had the same under consideration, and have amended the same agreeable to instructions, and have directed me to report the same back to the House so amended, and recommend its passage :

Amend by adding at the conclusion of the 7th section the following *proviso* —

Provided, however, That nothing herein contained shall be so construed as to permit or allow the companies, or either of them so uniting in the construction of a common track and passenger depot, to pass through or cut with any such joint, common, or other track, the property of any one of the companies so uniting, or the property of any other Railroad company, except upon such terms as may be mutually agreed upon between the parties interested.

Which amendments were concurred in.

The bill as amended was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Gentry, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to which was referred the petition of E Myers, W. Buskirk, and James E. Burton, citizens of Morgan county, in relation to attaching a portion of the territory of said county to that of Monroe, have had the same under consideration, and though your committee are fully impressed with the justice of the prayer of said petitioners, yet there is no evidence before your committee that the required notice has been given of this application ; they therefore respectfully ask to be discharged from a further consideration of the subject.

Which report was concurred in.

Mr. Shepard, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill of the Senate, No. 365, entitled " An act to amend the charter of the Evansville and Illinois Railroad Company," have had said bill under consideration, and have directed me to report said bill back without amendment, and respectfully recommend its passage.

Mr. Holcomb moved to amend by inserting in the proper place,

" Said Company shall locate and construct said road by the way of the town of Patoka, in Gibson county : *Provided*, That if it is ascertained by a survey that it will cost more to construct said road by the way of Patoka than any other route, an amount of solvent stock shall be subscribed in addition to the amount already subscribed, sufficient to pay the additional cost of construction by the way of the town of Patoka aforesaid.

Which amendment was adopted.

On motion.

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hicks, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred a petition of sundry citizens of Johnson county, asking for the passage of a law reinstating the office of auditor of said county, have had said petition under consideration, and instructed me to report that they find about eighty names upon the petition, that they are informed there are about two thousand citizens and voters of said county, whose opinions or wishes upon the subject of said petition have not been ex-

pressed; the committee, therefore, deem it fair to presume those silent citizens and voters do not desire any such change in the law as that proposed; wherefore, they ask to be discharged from the further consideration of the said petition.

Which report was concurred in.

Mr. Elder, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of sundry citizens of Cambridge City, praying to be stricken from the corporation of said town, have had the said petition under consideration, and a majority of the committee have directed me to report, that they are not in possession of sufficient information as to the condition of the public property, &c., belonging to said town, to warrant them in recommending that the prayer of the petitioners should be granted. They, therefore, recommend that the petition be laid upon the table, and ask to be discharged from its further consideration.

Which report was concurred in.

Mr. May, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of certain citizens of Steuben and De Kalb counties for an act to locate a certain State road in said petition set forth, have had the same under consideration, and are of the opinion that the prayer of the petitioners ought to be granted. They have, therefore, drawn up the accompanying bill, and recommend its passage:

No. 537. A bill to locate a State road on the line between the counties of Steuben and De Kalb;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Weir, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred bill of the House, No. 326, have had the same under consideration, and have instructed me to report the same back to the House, and respectfully recommend its passage:

On motion by Mr. Reed,

The county of Warrick was added to the bill.
The bill as amended was ordered to be engrossed.

On motion,
The rule was suspended, the bill read a third time, and passed.
Ordered, That the Clerk inform the Senate thereof.

Mr. Brown of Randolph, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of more than two hundred citizens of the counties of Posey and Elkhart asking for the passage of the bill exempting homesteads from execution and sale, have had the same under consideration, and while they concur in sentiment with said petitions, they do not deem it necessary to report a bill to this House inasmuch as a bill combining the sentiments of said petitioners has already been reported to the House by this committee, they therefore ask to be excused from the further consideration of the subject matter of said petitions.

Which report was concurred in.

Mr. Miller of Marshall and Fulton, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 391, entitled "an act to define the duties of county assessors, have had the same under consideration, and have directed me to report the same back, with the following amendment, and respectfully recommend its passage.

Strike out all after the enacting clause and insert the following :

That hereafter it shall be the duty of any assessor in this State in assessing the property of any individual or individuals to deduct from the aggregate value of his, her, or their property the whole amount of his, her, or their indebtedness : *Provided, however*, that no debts owing or being due to any person or persons out of this State for property sold within the State shall be so deducted : *And provided further*, that said debts are *bona fide* debts and which he expects to pay, and not debts which he never intends to pay : *And provided, also*, that he, she, or they make oath or affirmation to the best of his, her, or their knowledge as to the truth and correctness of his, her, or their statements touching the whole amount of his, her, or their property, and the whole amount of his, her, or their indebtedness.

Sec. 2. The several assessors in this State are hereby authorized to administer said oath or affirmation in order to carry out the provisions of this act.

Sec. 3. This act to be in force from and after its passage.

Sec. 4. All acts and parts of acts coming in conflict with this act are hereby repealed.

Mr. Graves moved to indefinitely postpone the bill and pending amendment;

The ayes and noes being demanded by Messrs. Chandler and Stoops :

Those who voted in the affirmative were,

Messrs. Alley, Athon, Beard, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Butler, Byers, Carnahan of Fountain, Cole, Conaway, Connor, Cravens, Delavan, Dodd, Dougherty of Boone, Dougherty of Elkhart, Edwards, Essex, Farnesly, Gentry, Gessie, Goodwin, Graves, Greathouse, Hart, Harvey, Hicks, Hill; Hillis, Holcomb, Hunter, Knowlton, Landiss, Lank, May, Miller of Owen, Millikan, Morrison, Niblack, O'Haver, Orr, Patterson, Prather, Richardson, Robson, Rush, Russell, Salter, Shelby, Shepard, Sherrod, Stewart, Stoops, Summers, Thom, Warriner, Weaver, Wells, Weir, Wright, and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Caldwell, Carnahan of Posey, Chandler, Defrees, Harney, Huey, Humphreys, Johnson, Keeney,, Lane Leviston, Mickle, Miller of Marshall and Fulton, Robinson of Laporte, Ross, Spencer, Thomas, Tinbrook, and Yocum—19.

So the bill and pending amendment were indefinitely postponed.

Mr. Wells. from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Thomas Whitson and others for the relief of Wm. J. H. Robertson, have had the same under consideration, and directed to report the following bill and recommend its passage :

No. 538. A bill for the relief of William J. H. Robinson of Jackson county :

Which was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Holcomb, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Sarah M. Emerson, have had the same under consideration, and have directed me to report the following bill, and respectfully recommend its passage :

No. 539. A bill for the relief of Sarah M. Emerson ;

Mr. Patterson moved to reject the bill.

Which motion prevailed.

Mr. Graves, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 348, entitled "an act to enable the qualified voters of district No. 4, township 31 north, of range 6 east, in Kosciusko county, to levy a tax in said township sufficient to build a school house," have had said bill under consideration, and have directed me to report the same back with the following amendment, and when so amended to recommend its passage :

Amend by adding the following additional section :

Sec. --. That all the provisions of this act be, and the same are hereby extended to school district No. 8, in township No. 33 north, of range 7 east, in said county of Kosciusko.

Which amendment was concurred in, and the bill ordered to be engrossed.

On motion by Mr. Graves,

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Miller of Owen, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred a joint resolution of the Senate No. 101, entitled "a joint resolution for the relief of James Gallatly and others therein named," have had that subject under consideration, and have directed me to report the same to the House with the following report :

The committee have not had as much time for the investigation of the subject before them as they could have desired, and for the reason that the present session of the Legislature is fast drawing to a close, they have deemed it their duty to investigate and report

upon the subject of the joint resolution with as little delay as was proper to anything like a just understanding of the same.

As far as your committee can ascertain the facts relied upon for its passage by the friends of the joint resolution, they are substantially as follows :

In the fall of 1839, a note dated the 2d day of January, 1840, and blank as to amount, was executed by John Young, endorsed by the persons in the joint resolution named, except John Johnson, and made payable at the Branch at Terre Haute, of the State Bank of Indiana.

About the time of the date of the note, John Young presented it at the said Branch Bank for discount, but the Bank refused the note, and Young returned with it to Owen county, where he and his endorsers resided, and informed them of the fact. On the 2d day of March of the same year, he again presented the note to, and deposited it in said Branch Bank, the date of the note being changed to the 2d day of March, and the blank filled up with the sum of \$3500, contrary to the prior understanding between Young and his endorsers, that the amount should not exceed \$1200. But to the amount the endorsers make no objection, that being left to the discretion of Young.

The alteration in the date of the note was made, and the same placed in Bank without the knowledge or consent of the endorsers, and as your committee are of opinion, with a view to defraud the endorsers. At the time the note was endorsed, and the name of Johnson assigned, he was absent in the State of Illinois.

In the fall of 1841, suit was brought on the note, against all the parties thereto, in the Owen Circuit Court, and in favor of the Bank. By some error or mistake, a judgment was rendered against the defendants, as by *nil dicet*, and over the plea of *non est factum* of Gallatly, who brought the case to the Supreme Court for reversal, but was enjoined by the court below from proceeding further till the cause could be heard in the Owen Circuit Court.

In both courts the cause is still pending.

It is proposed by the joint resolution to grant the defendants in the judgment a new trial in the cause, so far only as the interest of the State is concerned, this being as far as the Legislature can go.

The committee have ascertained that in the year 1845 the General Assembly of the State granted a new trial in this case to the defendants, not only as to the interest of the State, but also of the stockholders of the Bank, but the Owen Circuit Court held this act unconstitutional, because it affected and diverted the rights of private persons ; also, an investigation of the alledged forgery of the note has never been had.

The committee have further learned that although the note was in suit at the time when N. B. Palmer, who was appointed by the State for that purpose, called on the Branch Bank at Terre Haute for a list of its assets, yet, in the report of its assets then rendered

by the officers of the Bank, nothing is said of this note, nor does it appear that the same was ever noted on the books of the Bank.

That the note was forged, by altering the date, as stated, there is little or no doubt, and that the officers of the Bank ought to have known this fact, and that the Cashier did know it, there is much reason to believe. The note had been once presented to and refused by the Bank, with a *different* date, and the alteration of the date, by erasure and interlineation, are too palpable to escape the eye of the most casual observer.

From all the facts connected with the note in controversy, your committee have come to the conclusion that it was not obtained by the Bank fairly, and in the usual course of business. If it was fairly obtained, it was a part of her assets, and ought to have been inserted in the list of assets furnished Mr. Palmer by the officers of the Bank. Yet, although this report was made to Mr. Palmer under oath, and was sworn to as containing *all* the assets of the Bank, not a word is said about it. And the fact is, that at the very time the Bank is pursuing her legal remedies to enforce payment of the note, its very *existence* is denied in her report of assets.

Suit had been pending on this note more than six months before this report was made, and still it is passed over as if the Bank had no claim to it. It had never been entered on the books of the Bank, and is it to be supposed that all this resulted from mere accident, negligence, or inattention? If so, it would seem very strange the Bank should forget to notice the reception of the note in her books, and yet should recollect to sue upon it. That she should remember to sue upon the note, and yet forget, six months after suit brought, to place it amongst her assets in her report to Mr. Palmer, which was sworn to be correct. A recollection so elastic is very convenient, but its exercise is not commendable when the obligation of an oath, as in this case, rests upon the conscience of its possessor.

Your committee are of opinion, from the facts in the case, that this note was never *discounted*, but was placed in Bank by Young, as collateral security to a note for the same amount and date, then in Bank, which was drawn by Young, and endorsed by his father, and others. They believe this because, amongst other reasons, the forged note was never entered on the books of the Bank, nor reported to Mr. Palmer, whilst the other was both so entered and reported. It would be strange that those notes, of same date, amount, &c., should be received at the same time by the Bank, and one be noted on the books of the Bank, and the other not, if all had been right and fair—and again, that one should be reported to Mr. Palmer, and the other not.

Your committee believe the new trial ought to be. The joint resolution simply proposes a trial as to the interest of the State.

The committee see no reason for opposition to its passage. It only gives a right to an investigation of the alleged forgery, which has never been had. If the conduct of the Bank in the matter has been fair and honest, she need fear the result of no investigation

before the judicial tribunals of the country. It is fraud and error alone that will shun and stifle investigation—truth never seeks concealment.

But, whatever may be the crooked policy of the Bank, the State of Indiana should set her citizens a better example of open, honest, and fair dealing. It is not for her to place between herself and her own citizens, the technicalities of the law—she does not desire to fill her coffers with the spoils of her citizens, and that she has a judgment against them, founded in fraud and alleged forgery, is no reason why the fraud and forgery should not be inquired into. Nothing is sought to be taken from the treasury of the State. The judgment on the note has not been collected, if the note be a forgery, certainly its payment ought never to be enforced by the State. If the note should turn out a forgery, the interest the State has in the judgment now, would simply be released. No difficulty will arise in ascertaining that interest, the number of her shares of stock in Bank is known, that stock is at par, and there can be no difficulty in deducting her interest from the judgment, in proportion to her stock.

In conclusion, your committee would remark that, for the forgery of this note, John Young now stands indicted in the Owen Circuit Court, where he has given bail for his appearance.

For the reasons stated, and others not given, your committee have instructed me to report back the joint resolution to the House, and respectfully recommend its passage.

Mr. Edwards moved to amend the joint resolution by adding the following proviso :

“Provided, That if the said Gallatly shall not procure judgment against the State, he shall pay all the costs of suit and the fees of the attorney or attorneys, that may be employed by the State, and to provide for such a contingency, the said Gallatly is hereby required, on bringing suit, to file his bond, with security, and in such an amount as may be approved of by the court for that purpose, to indemnify the State;”

On motion by Mr. Humphreys,

The amendment was laid on the table.

Mr. Edwards moved to lay the joint resolution on the table ;

Which motion did not prevail.

The joint resolution was ordered to a third reading.

On motion by Mr. Humphreys,

The rule was suspended and the joint resolution read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Greathouse, from a committee on free conference, made the following report :

MR. SPEAKER :

The committee of free conference to whom was referred the disagreement between the two Houses, on House bill No. 64, entitled "an act in relation to extra taxes in Lamasco City," have had the same under consideration, and have directed me to report to the House that they have agreed to amend the amendment of the Senate so that the whole amount of taxes to be annually assessed by the President and Trustees of said Lamasco City, shall not exceed sixty cents on each one hundred dollars worth of property.

Which report was concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Athon, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Clark county, on the subject of grievances suffered, on account of negligence on the part of the New Albany and Salem Railroad Company, to construct causeways, at the several points where county roads cross said railway, as contemplated by the several laws, upon which the charter of said company was based, and also, asking the privilege of occupying the grade contiguous to, and parallel with said road, for public use, have had the same under consideration and beg leave to report that, although the said company has totally failed to construct causeways at points where roads necessary for public utility have been established for at least twenty years before the granting of a charter for a railway to said company, yet, notwithstanding the existence of these grievances, it is the opinion of your committee, that redress must be sought through the judicial department of the country, and that they consider it inexpedient to legislate upon the subject, and ask to be discharged therefrom.

Which report was concurred in.

RESOLUTIONS.

On motion by Mr. Niblack,

Resolved, That the judiciary committee be instructed to inquire into the expediency of amending the law concerning bills of exceptions, so as to extend the time for preparing and signing the same.

Mr. Chandler offered the following resolution :

Resolved, That after to-day, this House will have night sessions and will meet at 6 o'clock, P. M.

Mr. Mickle moved to amend by inserting "Saturday night;"
Which motion did not prevail.

Mr. Shepard moved to amend the bill by adding—

"And that if any member shall persist in disorderly conduct during such night sessions, that the Speaker shall direct his name to be entered on the journal, as having been disorderly."

Mr. Sherrod called the previous question ;

Which was seconded by the House.

The question being,

"Shall the main question be now put?"

Was decided in the affirmative.

The question then being on the main question, which was on the adoption of the resolution ;

Was decided in the affirmative.

Mr. Hillis moved that the House adjourn ;

Which motion did not prevail.

BILLS, &C., INTRODUCED.

By Mr. Edwards,

No. 540. A joint resolution authorizing the officers of State to procure a suitable room for the sittings of the convention ;

Which was read a first and second times, the rules being suspended therefor, and

On motion by Mr. Prather,

Laid on the table.

By Mr. Robson,

No. 541. A joint resolution to extend the privileges of the State Library ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Spencer,

No. 542. A bill to incorporate the Rising Sun and Allensville Turnpike Company ;

Which was read a first and second times, the rule being suspended therefor, and

On motion,

Referred to the committee on corporations.

By Mr. Prather,

No. 543. A bill to authorize Presley A. Irwin, of Jennings county, to file a bill in chancery ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Lane,

No. 544. A bill to amend an act, entitled "An act to define the jurisdiction of justices of the peace, in the several counties therein

named," approved January 16, 1849, so far as the county of Putnam is concerned ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Robson,

No. 545. A bill to charter the Eagle Creek Marion county Horse Thief Detecting Company ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Hicks,

No. 546. A bill relative to the sale of land for taxes in the county of Johnson, and for other purposes ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Whinery,

No. 547. A bill to amend an act to incorporate the Lake Michigan, Logansport, and Ohio River Railroad Company ;

Which was read a first time.

On motion by Mr. Cole,

The bill was rejected.

By Mr. Holcomb,

No. 548. A bill for the relief of Sarah M. Emerson ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Wilson,

The House adjourned to meet at 1½ o'clock, P. M.

1½ o'clock, P. M.

The House met.

ORDERS OF THE DAY.

House Bills, &c., on Second Reading.

When the House adjourned on yesterday the following joint resolution was under consideration :

No. 534. A joint resolution in regard to the computation of mileage of members of the General Assembly.

The pending question being the motion to indefinitely postpone,
Was decided in the affirmative ;

No. 298. A bill to increase the pay of the clerk of the Carroll circuit court, for discharging the duties of county auditor of Carroll county ;

Was read a second time, and

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 302. A bill to incorporate the Lagrange Male and Female Seminary ;

Was read a second time, and,

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 308. A bill more effectually to prevent mistakes ;

Was read a second time, and,

On motion by Mr. Butler,

Laid on the table.

No. 310. A bill to secure the more prompt payment of road tax ;

Was read a second time.

Mr. Patterson moved to lay the bill on the table ;

Which motion did not prevail.

On motion,

The rule was suspended and the bill read a third time, and passed

Ordered, That the Clerk inform the Senate thereof.

No. 311. A bill for the relief of certain persons in Fulton county ;

Was read a second time.

Mr. Carnahan of Posey moved to re-commit the bill to the committee on the judiciary, with instructions to place the Michigan road where it ought to be ;

Which motion did not prevail.

Mr. Carnahan of Posey moved to lay the bill on the table ;

Which motion did not prevail.

The question then recurring,

On the passage of the bill ;

The ayes and noes being demanded by Messrs. Carnahan of Posey and Goodwin,

Those who voted in the affirmative were,

Messrs. Alley, Bird, Brown of Shelby, Carnahan of Fountain, Chandler, Cole, Cravens, Defrees, Delavan, Dodd, Dougherty of Elk-

hart, Edwards, Ellis, Essex, Gentry, Harvey, Hicks, Hill, Huey, Johnson, Keeney, Landiss, Leviston, May, Miller of Marshall and Fulton, Niblack, O'Neal, Robinson of Decatur, Shelby, Shepard, Spencer, Stewart, Stoops, Summers, Thom, Tinbrook, Warriner, Watkins, Weaver, Wells, and Wright—41.

Those who voted in the negative were,

Messrs. Athon, Beard, Bowen, Butler, Byers, Caldwell, Carnahan of Posey, Cleaver, Conaway, Connor, Dougherty of Boone, Elder, Farnesly, Gessie, Goodwin, Hart, Hillis, Knowlton, Lane, Menaugh, Morrison, O'Haver, Orr, Patterson, Reed, Richardson, Ross, Rush, Russell, Salter, Sherrod, Thomas, Wilson, Whinery, Yocum, and Mr. Speaker—36.

So the bill passed.

Mr. Knowlton moved to strike out the title and insert the following :

"An act to refund money out of the State Treasury to certain citizens of Fulton county ;"

Which motion prevailed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Edwards moved to reconsider the vote on the passage of the bill ;

Which motion did not prevail.

No. 313. A bill to authorize the Auditor of Grant county to loan money to the Trustees of the Grant county Seminary ;

Was read a second time and ordered to be engrossed.

No. 315. A bill to authorize the Board of Commissioners of Daviess county to compound a certain claim against the surviving security of Joseph Doherty, late of said county, deceased ;

Was read a second time, and,

On motion,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 316. A bill to amend an act entitled "An act to increase and extend the benefits of common schools ;"

Was read a second time, and,

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 317. A bill to improve Laughery creek in the State of Indiana ;

Was read a second time and ordered to be engrossed.

No. 319. A bill in relation to the surplus revenue and school funds in the counties of Dearborn and Ohio, and declaratory of an act relative to loaning said funds ;

Was read a second time and,

On motion by Mr. Hicks,

Referred to the committee on the judiciary.

No. 320. A bill for the relief of Hezekiah Hinkston, heir-at-law of David Hinkston, deceased, late of Marion county ;

Was read a second time and,

On motion,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 321. A bill declaring a certain stream therein named a public highway, in the county of Shelby ;

Was read a second time and,

On motion,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 322. A bill to provide for the election of township Assessors in the county of Crawford ;

Was read a second time and,

On motion by Mr. Landiss,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 323. A bill to amend the road law so far as Jefferson county is concerned ;

Was read a second time and,

On motion,

The rule was suspended and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Lane,

The House took up the following bill of the House :

No. 498. A bill to regulate the interest on money in the county of Laporte ;

Mr. Hunter moved to strike out "ten," and insert "six."

On motion by Mr. Butler,

The bill and amendment were indefinitely postponed.

No. 326. A bill to amend the 16th section of chapter 10 of the Revised Statutes of 1843 ;

Was read a second time, and

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 327. A bill in relation to the sale of spirituous liquors in Ripley township, in the county of Rush ;

Was read a second time, and,

On motion,

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 328. A bill for the relief of Nancy Kitchen ;

Was read a second time, and,

On motion,

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 329. A bill to provide for draining wet lands in the county of Adams ;

Was read a second time, and,

On motion,

The rule was suspended, the bill read a third time, and passed.

No. 330. A bill for the relief of Ann Blythestone, of the county of Allen ;

Was read a second time and ordered to be engrossed.

No. 331. A bill to repeal a certain act therein named, so far as it relates to the county of Steuben ;

No. 333. A bill to repeal an act, entitled "An act to incorporate the town of Bloomfield," approved Feb. 2, 1837 ;

No. 334. A bill declaring a certain road in Morgan county a State road ;

No. 335. A bill providing for the removal of fences from canal lands ;

No. 338. A bill to legalize the acts of the School Commissioner of Marion county, and abolish the office of School Commissioner ;

No. 339. A bill to locate a State road from Crawfordsville, in Montgomery county, to Concord, in Tippecanoe county ;

No. 340. A bill to prohibit the sale of intoxicating drinks in Blue River township, Johnson county, Indiana ;

No. 342. A bill to repeal an act therein named, so far as the county of Fayette is concerned ;

No. 343. A bill for the relief of William Mackey ;

Were severally read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 344. A bill to authorize the sale of school section, in township 26 north, of range 1 west, in Carroll county;

No. 345. A bill to transfer the docketts of John Hodge and Jefferson S. S. D. Carey, late justices of the peace in Grant county, Indiana, to the custody of Thomas Wall, a justice of the peace in said county;

No. 347. A bill relative to the probate judge of the county of Randolph;

Were severally read a second time and ordered to be engrossed.

No. 349. A bill for the relief of Zadock C. Smith, of the county of Miami;

No. 350. A bill for the relief of persons who have made improvements on school section in township 25 north, range 3 east, in the counties of Cass and Miami;

No. 351. A bill to authorize the location of a State road in the counties of Jefferson, Scott, and Clark;

Were severally read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 352. A bill for the relief of John Maharry and others;

No. 353. A joint resolution relative to the redemption of the Wabash and Erie Canal scrip east of Tippecanoe;

Were each read a second time and ordered to be engrossed.

No. 354. A joint resolution in relation to the navigation of the Iroquois and Kankakee rivers;

No. 355. A joint resolution on the subject of improving the navigation of the Ohio River;

Were each read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 356. A joint resolution relative to the Miami Indians;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Brown of Shelby,

Leave of absence was granted to Mr. Patterson for the following reasons, viz:

The small pox is prevailing in the immediate neighborhood of his family.

No. 357. A joint resolution on the subject of vacant lands in the State of Indiana, &c.;

Was read a second, and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 360. A bill regulating the fees and salaries of the several officers and persons therein named ;

Was read a second time, and

On motion by Mr. Connor,

Was referred to a select committee, consisting of

Messrs. Connor, Holcomb, Edwards, Butler, and Millikan.

Mr. Spencer moved to suspend the order of business.

Which motion did not prevail.

No. 370. A bill to amend an act entitled "an act to provide for opening and repairing public roads and highways in the counties of Owen, Lawrence, and Greene," approved February 1, 1834 ;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 373. A bill repealing a part of section 31, of an act to increase and extend the benefits of common schools," approved January 17th, 1849 ;

Was read a second time.

On motion by Mr. Hill,

The county of Rush was added to the bill.

On motion by Mr. Allen,

The county of Putnam.

On motion by Mr. Withers,

The county of Pike.

On motion by Mr. Humphreys,

The county of Greene.

Mr. Morrison moved to lay the bill on the table.

Which motion did not prevail.

On motion by Mr. Orr,

The county of Delaware was added to the bill.

On motion by Mr. Hicks,

The county of Johnson,

On motion by Mr. Delavan,

The county of Morgan.

On motion by Mr. Holcomb,

The bill was laid on the table.

No. 376. A bill to incorporate the Kossuth Bridge Company ;

Was read a second time.

Mr. Yocum offered the following amendment, viz :

Strike out the 10th section and insert the following :

Sec. 10. Whenever said bridge is completed, said corporation may erect a gate upon the same, and demand and receive such tolls as may be provided for from time to time by the Board of County Commissioners of Clay county.

Which was adopted.

The bill was then ordered to be engrossed.

No. 399. A bill to incorporate the Lamasco Manufacturing and Ship Yard Company ;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 402. A bill relative to elections in Perry county ;

Was read a second and third times, the rules being suspended therefor, and

On motion by Mr. Ross,

The bill was laid on the table.

No. 418. A bill making general appropriations for the year 1850 ;

Was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 419. A bill explanatory of the 20th section of an act to amend an act entitled "an act approved January 10th, 1831, and to revise and amend the laws authorizing the formation of companies of independent militia by voluntary enlistment," approved January 15, 1844 ;

Was read a second time and ordered to be engrossed.

No. 420. A joint resolution to enable the State of Indiana to draw arms and equipments from the United States ;

No. 429. A bill to change the name of the town of Westport, in the county of Parke and State of Indiana, to that of *Howard* ;

No. 434. A bill for the benefit of certain citizens of the seminary township of Gibson county ;

Were severally read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 466. A bill to amend the 336th section of chapter 47 of the Revised Code of 1843 :

Was read a second time and ordered to be engrossed.

No. 485. A bill relative to the jurisdiction of justices of the peace in certain criminal cases, in the county of Tippecanoe ;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 491. A bill authorizing the Governor to take an appeal to the Supreme Court in the Patrick McGinley case ;

Was read a second time and passed to a third reading.

Mr. Elder offered the following amendment, viz :

Amend by inserting after the word " appeal " the words " or prosecute a writ of error."

Strike out "thirty days" and insert "ninety days ;"
Which was adopted.

The bill was read a third time, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 505. A joint resolution relative to the transfer of State stock, and to the abolition of the office of Agent of State ;

Was read a second time and passed to a third reading.

On motion by Mr. Athon,
The bill was laid on the table.

No. 490. A joint resolution relative to the preservation of a Republican government and justice to public servants :

Was read a second time.

Mr. Reed offered the following amendment :

Amend by adding the following :

"That the foregoing resolutions are a direct insult to the people of this State, a libel upon the President of the United States, and a disgrace to this Legislature."

Mr. Carnahan of Posey moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Hillis and Wilson :

Those who voted in the affirmative were,

Messrs. Alley, Athon, Bird, Brown of Shelby, Carnahan of Posey, Cleaver, Conaway, Cravens, Dodd, Dougherty of Boone, Elder, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Harvey, Hillis, Holcomb, Huey, Humphreys, Hunter, Johnson, Leviston, May, Menaugh, Mickle, Miller of Marshall and Fulton, Niblack, O'Haver, Richardson, Robson, Ross, Salter, Sherrod, Spencer, Thomas, Wariner, Watkins, Weaver, Wells, Withers, Yocum, and Mr. Speaker—45.

Those who voted in the negative were,

Messrs. Bowen, Burnet, Butler, Byers, Carnahan of Fountain, Connor, Edwards, Ellis, Gessie, Goodwin, Graves, Hill, Keeney, Knowlton, Lane, Lank, Miller of Owen, Millikan, Morrison, O'Neal, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Shelby, Shepard, Stewart, Stone, Summers, Thom, Tinbrook, Weir, Wilson, Whinery, and Wright—39.

So the amendment was laid on the table.

Mr. Reed offered the following amendment :

Resolved, That Col. W. A. Bowles, a staunch Democrat, is a fit

candidate for Governor of his party ; that though he may have exhibited some unfortunate symptoms of the want of moral and physical courage at Buena Vista, he has redeemed his reputation on a recent occasion, by a glorious victory over a certain Doctor of Orange county.

On motion by Mr. Carnahan of Posey,
The amendment was laid on the table.

Mr. Chandler moved to refer the joint resolution to the committee of ways and means.

Which motion did not prevail.

Mr. Sherrod called the previous question.

Which was not seconded by the House.

On motion by Mr. Alley,
The joint resolution was laid on the table.

SENATE BILLS ON THEIR THIRD READING.

No. 126. A bill to attach certain territory to the county of Blackford ;

Was read a third time.

Mr. Dodd moved to amend by adding the following proviso to the 5th section :

Provided, That no legislation shall hereafter be had upon petition to attach territory to the county of Blackford, until a majority of the citizens living on such territory shall have signed said petition.

Which amendment, by the unanimous consent of the House, was agreed to.

Mr. Orr moved to recommit the bill to a select committee, with the following instructions :

Amend as follows :

Sec. 5. Strike out from the word "voters," in the third line to the word "shall," in the 6th line, and insert instead thereof the words "of Delaware county."

10th line—strike out the word "Blackford," and insert "Delaware."

40th line—strike out the word "Hartford, Blackford," and insert "Muncie, Delaware."

44th line—strike out "Blackford," and insert "Delaware."

48th line—strike out the words "at said election."

Mr. Huey called the previous question,

Which was seconded by the House.

The question then being,

"Shall the main question be now put?"

Was decided in the affirmative.

The question then being on the main question, which was,
Shall the bill pass ?

The ayes and noes being demanded by Messrs. Orr and Goodwin,

Those who voted in the affirmative were,

Messrs. Alley, Athon, Barker, Beard, Bird, Brown of R., Brown of S., Burnet, Carnahan of Posey, Chandler, Cleaver, Delavan, Dougherty of Elkhart, Elder, Essex, Farnesly, Gentry, Greathouse, Hart, Hill, Holcomb, Huey, Humphreys, Landiss, May, Menaugh, Mickle, Miller of Marshall and Fulton, O'Haver, Patterson, Reed, Richardson, Robinson of Decatur, Robson, Ross, Rush, Salter, Shepard, Sherrod, Spencer, Thomas, Warriner, Weir, Withers, and Yocum—46.

Those who voted in the negative were,

Messrs. Bowen, Caldwell, Conaway, Cravens, Defrees, Dodd, Dougherty of Boone, Edwards, Ellis, Gessie, Harney, Hicks Hunter, Johnson, Keeney, Knowlton, Lane, Lank, Morrison, Orr, Shelby, Summers, Thom, Tinbrook, Watkins, Wells, Whinery, and Wright—28.

So the bill passed.

Mr. Orr moved to amend the title of the bill so as to read as follows :

“A bill to swindle Delaware county out of a part of her territory, although a majority of the citizens living on said territory have remonstrated against it by a majority of thirty.”

On motion by Mr. Elder,

The amendment to the title was laid on the table.

Ordered, That the Clerk inform the Senate of the passage of said bill.

Mr. Knowlton moved that the House adjourn.

Which motion did not prevail.

Senate Bills on third reading.

No. 134. A bill to incorporate the Bowling Green Manufacturing and Navigation Company ;

No. 183. A bill to repeal the second section of an act entitled “an act to change the time of holding the Probate Courts in the counties of Perry and Harrison,” approved December 20th, 1845, and for other purposes ;

No. 186. A bill requiring an enumeration of the white male inhabitants of this State ;

No. 187. A bill to locate a state road in the counties of Posey and Vanderburgh ;

No. 190. A bill to repeal an act entitled "an act to vacate a certain road in the county of Switzerland," approved January 17th, 1849 ;

Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hunter moved to suspend the order of business ;
Which motion did not prevail.

No. 191. A bill to establish an additional precinct in Marrs township, in the county of Posey ;

No. 192. A bill to incorporate Congressional township, No. 19, in Delaware and Henry counties for the encouragement of free schools ;

Were each read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Chandler moved to reconsider the vote on the adoption of the resolution of the House authorizing night sessions ;

Which motion did not prevail.

No. 206. A bill to regulate the retailing of spirituous liquors in Tippecanoe county ;

No. 209. A bill to provide for an extension of the time of holding the terms of the Marion Probate Court ;

No. 226. A bill to incorporate the town of Noblesville ;

No. 238. A bill supplemental and amendatory of an act, entitled "An act to define the jurisdiction of justices of the peace in Vermillion county ;"

No. 265. A bill to incorporate the Cloverdale Seminary ;

No. 266. A bill to cede and transfer the right and interest of the State in and to the Northport Feeder Dam to the Board of Commissioners of the county of Noble, for the use of Common Schools ;

No. 281. A bill to incorporate the Ohio River, Princeton, and Petersburg Plank Road Company ;

Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 285. A bill to repeal an act, entitled "An act to amend section 101 of chapter 38 of the Revised Statutes of 1843," so far as relates to the counties of Tipton and Morgan ;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 393. A bill to change the time of convening the Legislature in 1850 ;

Was read a third time.

Mr. Prather moved to lay the bill on the table ;

Which motion did not prevail.

The question then recurring on the passage of the bill,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

No. 301. A bill to preserve the interest of the State of Indiana in the Madison and Indianapolis Railroad ;

No. 304. A bill to incorporate the town of Shelbyville, in Shelby county ;

No. 310. A bill permanently fixing the location of the Greenfield and Franklin State road within the counties of Hancock and Shelby ;

No. 311. A bill to incorporate the town of Troy, in the county of Perry ;

No. 348. A bill to amend to an act, entitled " An act to incorporate the City of Indianapolis," approved May 27, 1848 ;

Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Graves moved to suspend the order of business and take up message No. 2, of the Senate ;

Which motion prevailed.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, with sundry amendments :

No. 451. An act regulating the license of traveling merchants and pedlars in the several counties therein named ;

In which amendments the concurrence of the House of Representatives, is respectfully requested.

The question being on the concurrence of the amendments of the Senate,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cole moved to adjourn ;

Which motion did not prevail.

Mr. Dougherty of Boone moved to adjourn ;

Which motion did not prevail.

On motion by Mr. Connor,

The order of business was suspended,

And the following message from the Senate taken up :

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill thereof :

No. 196. An act to amend an act entitled "an act to reduce the law incorporating the city of Madison and the several acts amendatory thereto, into one act, and amend the same," approved February 14, 1848, and also the act amendatory thereto ;

No. 255. An act to amend an act to incorporate the American Cannel Coal Company ;

No. 294. An act to incorporate the Fort Wayne, Auburn, and Steuben Plank Road Company ;

No. 342. An act to amend section 53, of chapter 45, article 2, part 3, of the revised statutes of 1843 ;

No. 334. An act to repeal an act entitled "an act more effectually to prevent the retailing of spirituous liquors in certain counties therein named ;"

No. 339. An act to amend an act entitled "an act to increase and extend the benefits of common schools," approved January 17, 1849 ;

No. 355. An act entitled "an act to incorporate the Washington Manufacturing Company ;"

No. 356. An act to incorporate the Brookville Literary and Scientific Lyceum ;

No. 370. An act to amend the charter of the White Water Canal Company ;

No. 389. An act for a plank road from Newcastle, in Henry county, to Dublin, in Wayne county ;

No. 307. An act to incorporate the Mount Carmel and Owensville Turnpike Company ;

No. 409. An act to legalize a certain order of the Knox Probate Court ;

No. 310. An act to vacate the town of Baltimore, in the county of Warren ;

No. 412. An act for the relief of the estate of William Harris, deceased, late of the county of Martin ;

No. 413. An act to extend the time for collecting delinquent taxes in Elkhart county ;

No. 414. An act to repeal an act relating to the jurisdiction of justices of the peace in the several counties therein named, so far as relates to the county of Gibson ;

In which the concurrence of the House is respectfully requested.

On motion by Mr. Connor,

No. 255. A bill to amend an act to incorporate the American Cannel Coal Company,

Contained in the foregoing message, was taken up, and

Read a first and second times, the rule being suspended therefor,

On motion,

The bill was referred to a select committee, consisting of Messrs. Connor, Hicks, and Prather.

Mr. Robson moved to suspend the order of business ;

Which motion did not prevail.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills, with the engrossed bills of the House, and find the same correctly enrolled :

No. 456. An act defining the boundaries of school district No. 1, in Congressional township No. 12 north, of range No. 5 west, in the counties of Clay and Vigo ;

No. 300. An act relative to the field notes, maps, records, and other papers appertaining to the land titles within the State of Indiana ;

No. 469. An act to vacate certain State roads therein named ;

No. 449. An act to prevent the sale of spirituous liquors in the township of Mound, in the county of Warren, without first procuring a license therefor ;

No. 231. An act to regulate the manner of doing business in the Jasper probate court ;

No. 219. An act concerning the duties of the county treasurer of the counties of Kosciusko and Knox ;

No. 233. An act to authorize the location of of a State road on the county line of Porter and Lake counties ;

No. 227. An act in relation to the auditor of Warrick county ;

No. 461. An act to declare certain water courses in the counties of Perry and Spencer public highways, and for other purposes ;

No. 458. An act to amend an act entitled " an act to incorporate the Attica and Warren county Bridge company," approved February 16, 1848 ;

No. 218. An act to locate a state road between the counties of Vigo and Clay ;

No. 230. An act to incorporate the West Point Literary and Agricultural College, in Tippecanoe county ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Spencer, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have examined and compared the following acts, and find them, with a few slight exceptions, correct :

No. 459. An act to vacate the village of Mount Pleasant, in St. Joseph county ;

No. 208. An act to repeal an act therein named concerning sheriffs, so far as the same relates to the county of Martin ;

No. 440. An act in relation to the school funds in Floyd county ;

No. 178. An act to incorporate the Goodwin Female Institute, of Lafayette ;

No. 284. An act to incorporate the Rising Sun and Versailles Turnpike Company ;

No. 206. An act defining the duties of county treasurers, in several counties therein named ;

No. 365. An act to amend an act entitled " an act to amend the charter of the Milford and Columbus Railroad company ; "

No. 89. An act incorporating the Grand Royal Arch Chapter, of the State of Indiana ;

No. 193. An act to regulate the per diem allowance for work done on the public highways, in Adams county, and other counties therein named ;

No. 129. An act to increase the fees of jurors before probate courts ;

No. 153. An act to amend section 141, of chapter 35, of the revised laws of 1843, relating to the duties of overseers of the poor ;

No. 324. An act to amend an act extending the jurisdiction of justices of the peace in certain criminal cases, approved, Feb. 16, 1848, and also to limit the sessions of the grand jury in Fulton county ;

No. 416. An act to amend an act to incorporate the Peru and Indianapolis Railroad Company, approved, Jan. 16, 1846 ;

No. 257. An act to incorporate the Harrison and Boardman Turnpike company ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Harvey a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House, without amendment :

No. 307. An act to incorporate the Indianapolis and Springfield Plank Road Company.

A message from the Senate by Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions of the House, without amendment :

No. 253. An act to amend an act authorizing the construction of Plank Roads, approved January 13th, 1849 ;

No. 259. An act to amend section 11, chapter 56, of the Revised Statutes of 1843 ;

No. 269. An act declaratory of the meaning of the 129th section of the act entitled "An act to revise and consolidate the several acts of the General Assembly, in relation to laying out, opening, repairing, changing, and vacating, public highways, and the erection and repair of bridges, and to amend the same," approved January 16th, 1849 ;

No. 283. An act relating to the Probate Court of Parke county ;

No. 295. An act authorizing the clerk of the Circuit Court to sell certain lots in the town of Delphi for school purposes ;

No. 296. An act for the distribution of the local laws, statutes, public documents, and reports to the City of Jeffersonville ;

No. 297. An act to legalize certain acts therein named ;

No. 493. An act to attach certain families to a school district therein named, in the county of Knox ;

No. 494. An act to authorize the construction of a dam across the Tippecanoe river, in Pulaski county ;

No. 495. An act fixing the salary of the Auditor of Miami county ;

No. 496. An act to change the name of Uniontown in Grant county ;

No. 499. An act to locate a State road on the line dividing Miami and Wabash counties ;

No. 501. An act explanatory of an act to amend an act, approved February 12th, 1848, providing for the election of township assessors and township collectors in Jennings county, and for other purposes ;

No. 503. An act to locate a State road from Orleans in Orange county to Newberry in Greene county ;

No. 504. An act to authorize the Auditor of Henry county to sell a certain tract of land belonging to the school fund in said county ;

No. 508. An act to authorize the trustees of the Methodist Episcopal Church in St. Louis, in Bartholomew county, to sell and convey a certain house and lot therein named ;

No. 509. An act to incorporate the Evangelical Protestant Congregation of Christians, of Haysville, Dubois county ;

No. 510. A joint resolution in regard to the compensation of jurors in the United States District Court.

Mr. Greathouse moved to reconsider the vote on the passage of

No. 281. A bill to incorporate the Ohio river, Princeton, and Petersburgh Plank Road Company ;

Which motion prevailed.

Mr. Greathouse moved to recommit the bill to the committee on corporations, with instructions to amend said bill, by giving the

commissioners of Vanderburg county the right to say where the said road shall run.

On motion by Mr. Wilson,
The House adjourned.

FRIDAY MORNING, 8½ O'CLOCK, JANUARY 18th, 1850.

The House met.

On motion by Mr. Patterson,
The reading of the journal was dispensed with.

PETITIONS, &C., PRESENTED.

By Mr. Carnahan of Fountain,
The petition of William Smalley, and others, to compromise side cuts ;

Which,

On motion,

Was referred to a select committee consisting of
Messrs. Carnahan of Fountain, Chandler, and Gessie.

By Mr. Orr,

The petition of sundry citizens of Delaware county, relative to shooting for beef or turkeys ;

Which,

On motion,

Was referred to a select committee consisting of
Messrs. Orr, Whinery, and Carnahan of Fountain.

Mr. Shepard moved to suspend the order of business, and take up Senate bill No. 283 ;

Which motion did not prevail.

By Mr. Ellis,

The remonstrance of sundry citizens of Jackson township, against the passage of a certain law relative to restricting the sale of ardent spirits :

Which,

On motion,

Was laid on the table.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions of the House, without amendment :

No. 62. An act to prevent the forfeiture of school lands in Warren, Franklin, and Dearborn counties ;

No. 172. An act to amend the city charter of the city of Madison, approved February 14, 1848 ;

No. 239. An act to amend the 224th section, of the 30th chapter, of the revised statutes of 1843 ;

No. 254. An act to locate a state road in the counties of Sullivan, Clay, Owen, and Hendricks ;

No. 267. A joint resolution on the subject of increasing the common school fund ;

No. 273. An act relative to the office of auditor, in Warrick county ;

No. 276. An act to regulate witnesses' fees in courts of common pleas and the probate courts of the State of Indiana ;

No. 277. An act to amend an act entitled " An act for the government of the Indiana Hospital for the Insane," approved Feb. 15, 1848 ;

No. 278. An act to repeal an act therein named ;

No. 280. An act to compel speculators to pay their due proportion of road tax in the county of Miami ;

No. 291. An act to incorporate the Peru and Warsaw Plank Road Company ;

No. 292. An act to revive an act to provide for the support of the Indigent Blind of the State of Indiana ;

No. 368. An act changing the mode of doing county business in the county of Crawford ;

No. 378. An act to vacate a certain road therein named ;

No. 380. An act to amend the road law in Jefferson county ;

No. 381. An act to repeal an act entitled, " An act to regulate clerk's fees in the Probate Court of Parke county," approved January 16th, 1849 ;

No. 388. An act to repeal certain sections of an act therein named ;

No. 389. An act to change the name of George Searle Stephens of Vanderburgh county ;

No. 397. An act to change the mode of doing county business in the county of Owen ;

No. 403. An act legalizing the election of trustees in the town of Cloverdale, in Putnam county ;

No. 406. An act to increase the pay of the Probate Judges of the counties of Knox, Kosciusko, and Randolph ;

No. 407. An act to repeal part of an act entitled " an act to fix the time of holding courts in the first judicial circuit, and the probate courts of Tippecanoe county," approved January 2, 1849 ;

No. 412. An act to amend an act entitled "an act to confine voters to their respective townships," approved January 13th, 1845, so far as the same relates to the county of Martin ;

No. 414. An act to change the name of Abraham Moore to that of Cyrus Moore Dunham ;

No. 424. An act to amend an act entitled "an act to revise and consolidate the several acts of the General Assembly relative to laying out, opening, changing, and vacating public highways, and the erection and repairs of bridges, and to amend the same," approved January 17, 1849, so far as relates to Gibson county ;

No. 415. An act to provide for the election of trustees in the town of Lafayette by single districts ;

No. 417. An act for the relief of David Baker of Cass county ;

No. 467. An act in relation to the prosecuting attorney of Hendricks county ,

No. 468. An act authorizing the transfer of the liens of Mechanics and others, on buildings ;

No. 479. An act to incorporate the Lamasco Iron Manufacturing Company.

REPORTS FROM COMMITTEES.

Mr. Edwards, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred a resolution of the House, instructing said committee to "inquire into the expediency of amending the law concerning bills of exceptions, so as to extend the time for preparing and signing the same," have had the same under consideration, and instructed me to report that further legislation was unnecessary, and recommend that the resolution be laid on the table.

Which report was concurred in.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 531, entitled "an act supplemental to an act concerning divorces," have had the same under consideration, and have directed me to report it back, and recommend its indefinite postponement.

Which amendment was concurred in.

Mr. May, chairman of the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to whom was referred No. 527, "a bill declaring the meaning of an act therein named," have had the same under consideration, and a majority of them are of the opinion that the passage of said act is unnecessary.

They, therefore, recommend that the same be indefinitely postponed.

Which report was concurred in.

Mr. Thom, from the committee on education, made the following report :

MR. SPEAKER :

The committee to whom was referred bill No. 521, entitled "an act to collect and reprint the school laws," have had the same under consideration, and a majority of them, after due deliberation, have directed me to report the same back, without amendment, and respectfully recommend its passage.

Mr. Prather moved to amend the bill by striking out 5,000 and inserting 20,000 ;

Which motion did not prevail.

Mr. Withers moved to suspend the rules and read the bill a third time ;

Which motion did not prevail.

The question then recurring on the engrossment of the bill,

Was decided in the affirmative.

Mr. Hillis moved to suspend the order of business ;

Which motion did not prevail.

Mr. Athon, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The standing committee on claims to whom was referred sundry accounts accruing in the Marion circuit court against the State, have had the same under consideration, and have directed me to report that fifty-seven dollars and sixty-four cents ought to be allowed, and they recommend that the amounts as exhibited in schedule No. 2, accompanying this report, due to the several individuals therein named, be inserted in the bill for specific appropriations for the year 1850 ; and further, they consider it inexpedient to legislate upon accounts contained in schedule No. 1, also accom-

panying this report, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Leviston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill of the House No. 542, entitled "an act to incorporate the Rising Sun and Allensville Turnpike Company," have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend its passage.

On motion by Mr. Spencer,
The rule was suspended and the bill read a third time and passed.
Ordered, That the Clerk inform the Senate thereof.

Mr. Elder, chairman of the committee on benevolent and scientific institutions, made the following report :

MR. SPEAKER :

The committee on benevolent and scientific institutions to whom were referred sundry memorials from many citizens of different portions of the State, praying the establishment of an Orphan's Asylum, for the support and education of destitute children, have had that subject under consideration, and have directed me to report that, owing to the late hour of the session when this subject was referred to them, they have been unable to give it that attention and deliberation that its importance demands, or that would enable them to make any definite recommendation as to its disposal. Your committee, however, are not insensible to the high claims, on the benevolence of the State, of this class of the children of misfortune, and trust that they will not long be overlooked. They find, by reference to section 4, article 9, of the constitution, that its wise framers looked forward to the establishment of an institution of this kind. But, in view of the extra demands upon the Treasury during the present year, and the fact that a convention will soon assemble to alter and amend the constitution, the committee have instructed me to report that, in their opinion, it is inexpedient, at this time, to provide for the establishment of the institution asked for in said memorials, and they ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Robinson of Decatur, from the committee on benevolent and scientific institutions, made the following report :

MR. SPEAKER:

The committee on scientific and benevolent institutions, to whom was referred a communication of L. Dunlap, charging the officers of the Indiana Hospital for the Insane with various mal-practices in the management of said Institution, have given to the subject all the attention their limited time would allow, and are unanimously of opinion, from the investigation they have been able to make, that there is nothing in the management of the Institution deserving of censure.

Which report was concurred in.

Mr. Elder, chairman of the committee on benevolent and scientific institutions, made the following report:

MR. SPEAKER:

The committee on benevolent and scientific institutions, to whom was referred "a joint resolution on the subject of a Railroad from some point on the Mississippi to the Pacific," have had the same under consideration, and have directed me to report the said joint resolution back to the House, and recommend its reference to the committee on roads.

Which report was concurred in.

Mr. Brown of Randolph, from the committee on benevolent and scientific institutions, made the following report:

MR. SPEAKER:

The committee on benevolent and scientific institutions, to whom was referred bill of the House No. 532, to amend an act entitled "an act for the government of the Indiana Hospital for the Insane," have had the same under consideration, and directed me to report the same back to the House as inexpedient, and recommend its indefinite postponement.

Which report was concurred in.

Mr. Connor, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 255, have had the same under consideration and have directed me to report it back to the House, without amendment, and recommend its passage.

On motion,

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Mickle, from a select committee, made the following report :

MR. SPEAKER :

The select committee whose duty it was made by a preamble and resolution of this House, to inquire into certain insinuations made against the proposer of said resolution, in regard to ordering a larger quantity of stationery than was necessary, have according to order made a thorough investigation of the whole matter by the examination of the Door Keeper and others, and have instructed me to report that there is no just grounds for said charges; your committee therefore ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Connor, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 369, have had the same under consideration, and a majority have instructed me to report the same back without amendment, and ask its passage.

On motion by Mr. Mickle,

The bill was referred to the committee on the judiciary.

Mr. Orr, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Andrew Knapp and others of the county of Delaware, in relation to legalizing the shooting for beef, pork, mutton, and poultry, have had the same under consideration, and have directed me to report that although the subject is one well worthy the consideration of this House, because in a government like ours, where every citizen has the right to carry arms and occupy the position of a soldier, surely the art of shooting should be encouraged to its greatest extent; yet owing to the late period of the session we do not think that this House has time to do this subject the justice that its merits deserve; therefore we recommend that the petition be laid on the table, and your committee ask to be discharged from the further consideration thereof.

Which report was concurred in.

On motion,

Leave was granted to Mr. Orr to withdraw the petition referred to in the foregoing report.

On motion by Mr. Chandler,

The order of business was suspended.

Mr. Chandler presented a remonstrance of citizens of Warren county, against compromising side cuts ;

Which,

On motion,

Was referred to the select committee on the same subject, consisting of

Messrs. Carnahan of Fountain, Chandler, and Gessie.

BILLS, &C., INTRODUCED.

By Mr. Whinery,

No. 549. A joint resolution on the subject of public lands ;

Which was read a first and second times, the rule being suspended therefor.

Mr. Whinery moved to suspend the rule, and read the bill a third time ;

Which motion did not prevail.

The bill was ordered to be engrossed.

Mr. Dougherty of Boone moved to take from the table joint resolution of the House

No. 540. A joint resolution authorizing the officers of State to procure a suitable room for the sitting of the Convention ;

Which motion prevailed.

On motion by Dougherty of Boone,

This joint resolution was referred to a select committee.

The Speaker appointed Messrs. Dougherty of Boone, Hunter, Carnahan of Posey, Millikan, and Burnet, said committee.

By Mr. Russell,

No. 550. A joint resolution in relation to the public officers ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Wilson,

The order of business was suspended.

Mr. Wilson, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred the report of the Auditor, in regard to the lots remaining unsold in the town of Indianapolis, and belonging to the State, together with instructions inquiring into the propriety of selling the same, partly with a view

of appropriating a portion of the proceeds thereof to the erection of a building capable of accommodating the State and United States Officers, have had the same under consideration, and have directed me to report the following joint resolution :

No. 551. A joint resolution in regard to the erection of a City Hall ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

By Mr. Robson,

No. 552. A bill to repeal a certain section of an act therein named ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Dougherty of Boone,

No. 553. A bill for the relief of Martha Alloway ;

Which was read a first time.

Mr. Elder moved to reject the bill ;

Which motion prevailed.

By Mr. Niblack,

No. 554. A bill for the relief of Felix O'Brien, an insane person, of the county of Martin ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Holcomb,

The order of business was suspended.

And the House took up bill of the House,

No. 335. A bill making specific appropriations for the year 1849-'50 ;

Which was read a second time.

Mr. Niblack moved to fill the blank in the section making an allowance to Michael Shea, with "three dollars per day ;"

Which motion prevailed.

Mr. Chandler moved to strike out "Principal Clerk of the House of Representatives," and insert "chairman of the committee of ways and means ;"

Which motion prevailed.

Mr. Prather moved to strike out "three dollars per day," in the third section, and insert, "the same pay as members of the General Assembly ;"

On motion by Mr. Hunter,

The amendment was laid on the table.

On motion by Mr. Chandler,

The 12th section was stricken out.

On motion by Mr. Chandler,

The 15th and 16th sections were stricken out.

Mr. Prather offered the following amendment :

Sec. —. That John Elder be allowed the sum of eight dollars for a draught and estimate furnished the select committee to inquire into the propriety of selling State property in the city of Indianapolis, and erecting offices for the public officers of the State ;

Which amendment was adopted.

Mr. Brown of Randolph moved to amend the bill by inserting the following section :

Sec. —. That Douglass & Elder be allowed the sum of twenty-six dollars, for furnishing the "Locomotive" to members of the General Assembly during the present session ;

Which amendment was adopted.

Mr. Prather moved to amend the bill by adding the following :

Sec. —. That George W. Carr be allowed \$2 00, postage paid as Speaker of the House of Representatives at the present session ;

Which amendment was adopted.

Mr. Carnahan of Fountain offered the following amendment :

"Sec. —. That Elliot N. Bowman be allowed the sum of eight dollars for services rendered as clerk to the committee on the judiciary ;"

Which was adopted.

Mr. Mickle offered the following amendment :

"Sec. —. That David Cody be allowed the sum of seventy-five cents for two bolts of ribbon bought for the use of the House of Representatives ;"

Which was adopted.

Mr. Edwards offered the following amendment :

"Sec. —. That the Treasurer of State is hereby authorized to refund to Nathaniel F. Cunningham, Treasurer of the county of Vigo, the sum of seventeen dollars for taxes erroneously paid by him into the State Treasury or otherwise, if the Treasurer of State shall become satisfied of the same ;"

Which was adopted.

Mr. Wilson offered the following amendment :

"Sec. —. That the sum of twenty-six dollars be allowed D. M. Jones for services rendered the select committee in comparing and copying State bonds ;"

Which was adopted.

Mr. Wilson offered the following amendment :

"Sec. —. That Jacob Corman be allowed the sum of nine dol-

lars for three days' attendance as witness before the committee on canals and internal improvements ;"

Which was adopted.

Mr. Athon offered the following amendment :

"Sec. —. That the clerk of the Marion circuit court be allowed fifty-four dollars and sixty-four cents in two cases of the State vs. Morris Canal and Banking Company ;"

Which was adopted.

Mr. Wilson offered the following amendment :

"Sec. —. That the Secretary, Auditor, and Treasurer be authorized to allow to the Commissioners of the Masonic Hall, for grading and graveling Tennessee and Market streets opposite the State House and Treasury building, the same that private individuals pay on the opposite side of said streets for the same improvements ;"

Which was not adopted.

Mr. Hunter offered the following amendment :

"Sec. —. That Michael Lonergan be allowed ten dollars and fifty cents for three and a half days' services as Assistant Door-keeper in the Senate at the commencement of this session ;"

Which was adopted.

Mr. Athon moved to reconsider the vote on striking out the 15th and 16th sections, making allowance for Commissioners in the McGinley case ;

Which motion did not prevail.

Mr. Niblack moved to reconsider the vote on the amendment of Mr. Wilson, authorizing an allowance to the Commissioners of the Masonic Hall for graveling streets ;

Which motion prevailed.

The question then recurring on the amendment,

Was decided in the affirmative.

On motion by Mr. Withers,

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Chandler,

The following message from the Senate was taken up :

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, with one amendment :

No. 425. An act to raise a revenue for State purposes for 1850 ;

In which amendment, the concurrence of the House is respectfully requested.

The question being on concurring in the amendment of the Senate to bill of the House, No. 425, contained in the foregoing message, Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

BILLS, &C., INTRODUCED.

By Mr. Huey,

No. 555. A bill to authorize the School Trustees of Noble township, in Jay county, to make additional districts, &c.;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Shelby,

No. 556. A bill to amend an act relative to the execution of decrees in chancery, approved Jan. 16, 1849 ;

Which was read a first and second times, the rule being suspended therefor, and,

On motion,

Referred to the committee on the judiciary.

By Mr. Chandler,

No. 557. A bill supplementary to an act, entitled " An act providing for a more uniform mode of doing township business in the several counties therein named," approved Feb. 17, 1838, so far as the county of Warren is concerned ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Gentry, moved to suspend the order of business and take up Senate bill, No. 296 ;

Which motion did not prevail.

ORDERS OF THE DAY.

House Bills on Third Reading.

No. 313. A bill to authorize the Auditor of Grant county to loan money to the Trustees of the Grant County Seminary ;

No. 317. A bill to improve Laughery creek, in the State of Indiana ;

No. 330. A bill for the relief of Ann Blythestone, of the county of Allen ;

No. 344. A bill to authorize the sale of school section in township 26 north, range 1 west, in Carroll county ;

No. 345. A bill to transfer the dockets of John Hodge and Jefferson S. S. D. Carey, late justices of the peace in Grant county, Indiana, to the custody of Thomas Wall, a justice of the peace in said county ;

No. 347. A bill relative to the probate judge of the county of Randolph ;

No. 352. A bill for the relief of John Maharry and others ;

No. 376. A bill to incorporate the Kossuth Bridge Company ;

No. 419. A bill explanatory of the 20th section of an act to amend an act entitled "an act approved January 10th, 1831, and to revise and amend the laws authorizing the formation of companies of independent militia by voluntary enlistment," approved January 15, 1844 ;

No. 466. A bill to amend the 336th section of chapter 47 of the Revised Code of 1843 ;

No. 530. A bill to amend section 1, article 1, chapter 25, revised acts of 1843, incorporating towns ;

Were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

SENATE BILLS ON THIRD READING.

When the House adjourned the following bill of the Senate was under consideration :

No. 281. A bill to incorporate the Ohio River, Princeton, and Petersburg Plank Road Company ;

The question being,

On the motion to re-commit the bill to the committee on corporations, with instructions ;

Was decided in the affirmative.

No. 250. A bill to incorporate the Shelbyville and Indianapolis Rail Road Company, and for other purposes ;

Was read a third time.

Mr. Hill moved to re-commit the bill to a select committee, with the following instructions :

After the word "company," in the 4th and 5th lines of section one, add the following words :

"And Knightstown and Shelbyville Rail Road Company."

Mr. Brown of Shelby called the previous question,

Which motion was seconded by the House ;

The question being,

"Shall the main question be now put ?"

Was decided in the affirmative.

The question then recurring,

On the main question, which was,

"Shall the bill pass ?"

The ayes and noes being called for by Messrs. Hunter and Prather :

Those who voted in the affirmative were,

Messrs. Allen, Bird, Brown of Randolph, Brown of Shelby, Burnet, Carnahan of Fountain, Carnahan of Posey, Chandler, Cleaver, Cole, Conaway, Delavan, Dougherty of Boone, Edwards, Gessie, Goodwin, Harney, Harvey, Hicks, Huey, Hunter, Johnson, Lank, Leviston, May, Mickle, Miller of M. and F., O'Haver, Patterson, Robinson of Decatur, Robson, Ross, Russell, Shelby, Shepard, Stoops, Tinbrook, Watkins, Weaver, Wright, and Yocum—41.

Those who voted in the negative were,

Messrs. Alley, Athon, Beard, Bowen, Butler, Caldwell, Connor, Cravens, Dodd, Elder, Ellis, Farnesly, Gentry, Hart, Hill, Hillis, Knowlton, Landiss, Millikan, Morrison, Prather, Salter, Sherrod, Stone, Summers, Thom, Thomas, Warriner, Wells, Wilson, Whinery, and Mr. Speaker—32.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

SENATE BILLS ON SECOND READING.

No. 50. A joint resolution relative to the election of United States Senator;

Was read a second time and ordered to a third reading.

No. 140. A bill to carry out the obvious meaning and intent of the contract entered into between the State of Indiana and her bondholders;

Was read a second time.

Mr. Niblack moved to refer the bill to the committee on the judiciary.

The ayes and noes being demanded by Messrs. Cole and Niblack :

Those who voted in the affirmative were,

Messrs. Allen, Alley, Athon, Beard, Bird, Brown of Randolph, Brown of Shelby, Burnet, Caldwell, Carnahan of Posey, Connor, Edwards, Elder, Essex, Farnesly, Gessie, Goodwin, Greathouse, Harney, Hart, Hicks, Hillis, Holcomb, Humphreys, Johnson, Landiss, Menaugh, Mickle, Miller of Owen, Morrison, Niblack, O'Haver, Richardson, Robinson of Decatur, Sherrod, Thomas, Tinbrook, Wells, Weir, Wilson, Withers, Yocum, and Mr. Speaker—45.

Those who voted in the negative were,

Messrs. Byers, Carnahan of Fountain, Chandler, Cleaver, Cole, Delavan, Dodd, Ellis, Gentry, Harvey, Huey, Hunter, Keeney, Knowlton, Leviston, Miller of Marshall and Fulton, Millikan, O'Neal, Orr, Patterson, Prather, Reed, Robinson of Laporte, Robson, Ross, Rush, Russell, Salter, Shelby, Shepard, Spencer, Stone, Summers, Thom, Warriner, Weaver, and Whinery—37.

So the bill was referred to the committee on the judiciary.

On motion by Mr. Cravens,

The House adjourned to meet at 1½ o'clock, P. M.

1½ o'clock, P. M.

The House met.

The Speaker being absent,

The House was called to order by the Principal Clerk.

On motion by Mr. Patterson,

Mr. Mickle was chosen Speaker *pro tem*.

On motion,

Leave was granted to Mr. Salter to withdraw from the files House bill No. 514.

On motion by Mr. Dodd,

The order of business was suspended.

Mr. Dodd introduced,

No. 558. A bill to amend an act entitled "an act to incorporate the Lagro, Marion, and Jonesboro' Plank Road Company," approved January 16th, 1849 ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Lane,

The order of business was suspended.

Mr. Lane introduced

No. 559. A bill concerning free negroes, mulattoes, servants, and slaves ;

Which was read a first time and passed to a second reading.

Mr. Lane moved to suspend the rules and read the bill a second time ;

Which motion did not prevail.

Mr. Hicks moved to reconsider the vote on House bill No. 451 ;

Which motion did not prevail.

SENATE BILLS ON SECOND READING.

No. 146. A bill to amend article 5, chapter 28, of the Revised Statutes of 1843 ;

Was read a second time.

The question being on ordering the bill to a third reading,

Was decided in the negative.

No. 156. A bill to distribute the surplus road tax in Jefferson county ;

Was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 175. A bill to amend an act entitled "An act to authorize county auditors to sell lands at private sale which have been bid in for the use of the school fund," approved January 28th, 1847, as far as it relates to the counties of Fountain and Martin ;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 182. A bill to authorize the taking of depositions of practicing physicians in certain cases ;

Was read a second time and ordered to a third reading.

Mr. Edwards moved to reconsider the vote on rejecting bill of the House

No. 547. A bill to amend an act entitled "An act to incorporate the Lake Michigan, Logansport, and Ohio river Railroad Company ;" Which motion did not prevail.

The House resumed the consideration of Senate bills on second reading.

No. 184. A bill to incorporate the Trustees of the Indianapolis Collegiate Institute ;

No. 184. A bill relative to lands mortgaged and forfeited to the State of Indiana ;

No. 198. A bill to amend the school law so far as the same relates to fractional township No. 3, range 10, in Jefferson county ;

No. 199. A bill to authorize justices of the peace in Posey township, Switzerland county, to perform the duties of coroner in certain cases ;

No. 200. A bill to incorporate the Connersville and Raysville Turnpike Company ;

No. 202. A bill for the relief of Sylvester P. Morgan and Benjamin Fuller of the county of Clark ;

No. 203. A bill to locate a state road in Morgan and Owen counties ;

No. 204. A bill to incorporate the Lafayette, Rossville, and Michigan Plank Road Company ;

No. 205. A bill to incorporate the Eel River Bridge Company ;

No. 207. A bill to amend section 65, of chapter 54, of the Revised Statutes of 1843, as far relates to the county of Tippecanoe ;

No. 208. A bill to authorize the Superintendent of the New Albany and Vincennes McAdamized Road to pay the Attorney's fees in the case of Clendenin against Frazer, in the Supreme Court ;

No. 210. A bill to vacate certain streets and alleys in Jeffersonville ;

No. 211. A bill to amend the 36th section of the 37th chapter of article 1, of the Revised Statutes of 1843 ;

Were severally read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 212. A bill for the relief of certain persons therein named, in Warren county ;

Was read a second time.

Mr. Elder moved to lay the bill on the table.

Which motion did not prevail.

On motion,

The rule was suspended and the bill read a third time and passed.

On motion by Mr. Chandler,

The third line from the top of the preamble was amended by inserting the word "was," and before the word "filed," the following words : "dated and."

Ordered, That the Clerk inform the Senate of the passage of said bill.

No. 213. A bill for the relief of Nancy C. Burrows, of Jefferson county ;

Was read a second time.

Mr. Carnahan of Posey moved to lay the bill on the table.

Which motion did not prevail.

On motion,

The rule was suspended, the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 216. A bill to incorporate the Point Commerce Bridge Company ;

Was read a second time, and,

On motion by Mr. Humphreys,

Referred to a select committee, consisting of

Messrs. Humphreys, Miller of Owen, and Niblack.

No. 217. A bill to incorporate the Clinton and Illinois Plank Road Company ;

No. 218. A bill to authorize the board of commissioners of Daviess county to compromise certain actions now pending against the securities of Friend Spears, late treasurer of said county ;

Were each read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 221. A bill to publish and declare in force the provisions of an act entitled "an act to increase and extend the benefits of common schools ;"

Was read a second time, and,

On motion by Mr. Hicks,

Indefinitely postponed.

No. 223. A bill directing the Secretary of State to make a patent to James Hensley for certain Wabash and Erie Canal lands ;

Was read a second time and ordered to a third reading.

No. 228. A bill making additional appropriations for the year 1850 upon the New Albany and Vincennes Turnpike Road ;

No. 229. A bill to incorporate the White River Railroad Company ;

Were each read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 230. A bill to amend an act to compel speculators to pay a road tax equal to that paid by actual settlers, and for other purposes, in the county of Tipton ;

Was read a second time, and ordered to a third reading.

No. 231. A bill for the relief of Mary Huffman ;

No. 232. A bill to legalize the sale of lot No. 85, in the town of Wabash, Wabash county, Indiana ;

No. 234. A bill to incorporate the Mixerville Turnpike Company ;

No. 236. A bill changing the time of holding the probate court of Allen county ;

Were severally read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 237. A bill regulating the jurisdiction of justices of the peace in the county of Henry ;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 241. A bill to amend the practice in the circuit courts ;

Was read a second time.

The question then being,

Shall the bill be ordered to a third reading ?

Was decided in the negative.

No. 242. A bill for the relief of the estate of Noah Noble, deceased ;

No. 243. A bill to correct a mistake in the act relative to Plank Roads ;

No. 244. A bill to provide for a general index of deeds in Marion county ;

No. 245. A bill to amend the act entitled "an act to incorporate the Fort Wayne and Bluffton Turnpike Company ;

Were severally read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 246. A bill to provide for the registration of births, deaths, and marriages ;

Was read a second time, and,

On motion by Mr. Niblack,

The bill was laid on the table.

No. 247. A bill to amend an act entitled "an act to incorporate the city of New Albany, and to repeal all laws in force incorporating the town of New Albany," approved February 14, 1839, and of the various acts amendatory thereto ;

No. 249. A bill to incorporate the Logan and North Manchester Plank Road Company ;

No. 251. A bill declaring a certain county road therein named a State road ;

No. 252. A bill authorizing the State Librarian to send surplus copies of public documents to Liberia ;

No. 253. A bill to vacate a certain road in the county of De Kalb ;

No. 254. A bill to amend an act, entitled "An act to incorporate the City of Fort Wayne ;"

No. 256. A bill to change the name of Losson Brinton, of Pike county, and other purposes ;

No. 257. A bill relative to the probate judge of Shelby county ;

No. 258. A bill to incorporate the town of West Union, in Fayette county ;

No. 261. A bill to change the names of Belsora Barsheba Inglewright and others ;

No. 262. A bill in relation to printing additional copies of the General and Local laws of this State ;

No. 263. A bill to authorize the Trustees of the Mooresville School Society to convey real estate ;

Were severally read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 264. A bill fixing the salaries of the auditors of the counties of Owen and Greene ;

Was read a second time.

Mr. Miller of Owen moved to amend the bill by striking out the words "and required."

Which motion prevailed.

Mr. Humphreys moved to amend by excepting the county of Greene from the provisions of the bill.

Which motion prevailed.

On motion,

The rule was suspended, the bill read a third time, and passed.

On motion by Mr. Humphreys,

The title was so amended as to read "a bill fixing the salary of the Auditor of the county of Owen."

Ordered, That the Clerk inform the Senate thereof.

No. 267. A bill for the temporary relief of the poor of Dearborn county ;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 268. A bill providing for the re-location of Orr and Harrison's addition to the eastern enlargement of Evansville, and for other purposes ;

Was read a second time and ordered to a third reading.

No. 270. A joint resolution on the subject of the grant of land for a geological survey of the State of Indiana ;

No. 272. A bill imposing additional duties on the Warden of the State Prison buildings ;

No. 275. A bill to amend an act entitled "an act more effectually to prevent the retailing of spirituous liquors in certain counties therein named," approved January 16th, 1849 ;

No. 276. A bill to authorize the construction of a Railroad from Rushville to Lewisville, in Henry county ;

Were severally read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 279. A bill to incorporate the Brookville Railroad Company ;

Was read a second time.

Mr. Hillis moved to refer the bill to the committee on corporations.

Which motion did not prevail.

The question then being,

"Shall the bill be ordered to a third reading?"

Was decided in the affirmative.

No. 283. A bill to encourage the investment of capital for manufacturing purposes ;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 287. A bill incorporating the Crawfordsville and Terre Haute Plank Company ;

Was read a second time.

Mr. Edwards moved to amend the bill as follows :

Amend by filling the blank in section six by inserting the word "ten."

Amend further by striking out section seventeen.

On motion by Mr. Harney,

The bill and pending amendments were referred to a select committee, consisting of

Messrs. Harney, Johnson, Tinbrook, Burnet, and Edwards.

Mr. Greathouse moved to suspend the order of business, and take up House bill No. 268 ;

Which motion did not prevail.

No. 288. A bill to prevent the consolidation of indictments for selling liquor in Dearborn county ;

Was read a second time, and,

On motion,

Referred to a select committee, consisting of

Messrs. Spencer, Watkins, and Conaway.

No. 289. A bill to incorporate the Richmond and Liberty Turnpike Company ;

No. 290. A bill to amend several acts incorporating turnpike roads therein named ;

No. 291. A bill to incorporate the Jefferson County Historical Society ;

No. 292. A bill for the relief of George Donaldson of the county of Lagrange ;

Were severally read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 293. A bill to repeal an act therein named ;

Was read a second time, and,

On motion by Mr. Humphreys,

Was indefinitely postponed.

No. 297. A bill authorizing justices of the peace in certain cases to perform the duties of coroner ;

No. 298. A bill to incorporate the Trustees of the Indiana Female Normal School ;

No. 299. A bill to change the name of Virginia Young, to that of Virginia McAfee ;

Were severally read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 303. A bill to amend an act, entitled "An act to authorize

the people of the several counties to prohibit the retailing of spirituous liquors," approved January 28, 1847, so far as the same relates to the counties of Monroe and Brown ;

Was read a second time.

Mr. Johnson offered the following amendment :

Amend section 1—

And those votes cast, which are not endorsed with the words "License or No License," shall not be counted, but only a majority of the votes cast on the subject of license or no license.

Which was adopted.

The bill was read a third time, the rules being suspended therefor, and passed.

On motion,

The title was amended by inserting the county of Parke.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Brown of Randolph,

The order of business was suspended.

Mr. Brown of Randolph, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the Senate, No. 281, entitled "An act to incorporate the Ohio river, Princeton, and Petersburg Plank Road Company," with certain instructions, have had the same under consideration and have directed me to report the bill back to the House, amended according to said instructions, the committee unanimously recommend that the amendment be laid on the table, and the bill passed.

Amend, by giving the commissioners of Vanderburg county the right to say where the said road shall run.

Which amendment was not concurred in.

Mr. Greathouse moved to lay the bill on the table ;

Which motion did not prevailed.

The question then recurring on the passage of the bill,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

No. 306. A bill for the relief of Elias Abel, of Monroe county ;

No. 307. A bill to incorporate the Rushville and Muncietown Railroad Company ;

No. 315. A bill regulating the relinquishment of damages upon the Wabash and Erie Canal ;

No. 316. A bill for the relief of Hugh F. Stevenson and James Wilson of Wabash county ;

No. 317. A joint resolution on the subject of a mail route from Kushville, by the way of Greenfield to Noblesville, Indiana ;

Were severally read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 318. A bill to amend chapter 5, article 48, of the revised code ;

Was read a second time and ordered to a third reading.

No. 321. A bill to incorporate the Fireman's and Mechanic's Insurance Company ;

No. 222. A bill to amend an act, entitled "An act to fix the time of holding courts in the 10th judicial circuit," approved January 25, 1847 ;

Were each read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 323. A bill to amend an act, entitled "An act to compel speculators to pay a road tax equal to that paid by actual settlers in the county of Noble, approved January 4, 1849 ;

Was read a second time.

On motion by Mr. Keeny,

The first section was amended by striking out the word "road,"

On motion,

The rule was suspended, the bill read a third time, and passed.

On motion by Mr. Keeny,

The title was amended so as to read as follows :

An act to amend an act, entitled "An act to compel speculators to pay a tax equal to that paid by actual settlers in the county of Noble."

Ordered, That the Clerk inform the Senate thereof.

No. 330. A bill for the relief of Charles Martin, Daniel Seward, and John Bundy ;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Knowlton,

The order of business was suspended.

On motion by Mr. Knowlton,

Resolved, That when this House adjourns, it adjourn to meet tomorrow morning at 8 o'clock.

No. 337. A bill to legalize the marriage between Wm. Brazzle, and Sarah Vaughan of Daviess county ;

Was read a second time.

Mr. Elder moved to lay the bill on the table ;
Which motion did not prevail.

On motion,
The rule was suspended, the bill read a third time, and
Mr. Prather moved to indefinitely postpone the bill ;
The ayes and noes being demanded by Messrs. Hunter and Elder :

Those who voted in the affirmative were,

Messrs. Allen, Alley, Beard, Butler, Conner, Elder, Harvey, Hill, Hunter, Johnson, Lank, May, Prather, Robinson of Decatur, Rush, Sherrod, Spencer, Stoops, Summers, and Wells—19.

Those who voted in the negative were,

Messrs. Barker, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Byers, Caldwell, Carnahan of Fountain, Carnahan of Posey, Cleaver, Cole, Cravens, Delavan, Dodd, Dougherty of Boone, Edwards, Ellis, Essex, Gentry, Gessie, Goodwin, Greathouse, Harney, Hillis, Holcomb, Humphreys, Keeney, Knowlton, Landiss, Lane, Leviston, Mickle, Miller of Marshall and Fulton, Morrison, Niblack, O'Haver, O'Neal, Orr, Reed, Richardson, Robinson of Laporte, Ross, Russell, Salter, Shelby, Shepard, Thom, Tinbrook, Warriner, Weaver, Wilson, Whinery, and Yocum—52.

So said motion did not prevail.

The question then being, "shall the bill pass?"

The ayes and noes being demanded by Messrs. Butler and Be

Those who voted in the affirmative were,

Messrs. Alley, Barker, Bird, Bowen, Brown of S., Burnet, Caldwell, Carnahan of F., Carnahan of P., Cole, Conaway, Cravens, Delavan, Dodd, Dougherty of B., Edwards, Ellis, Essex, Gentry, Goodwin, Greathouse, Harney, Hillis, Holcomb, Huey, Humphreys, Johnson, Keeney, Knowlton, Landiss, Lane, Leviston, Mickle, Miller of M. and F., Millikan, Niblack, O'Haver, O'Neal, Orr, Patterson, Reed, Richardson, Robinson of L., Robson, Russell, Salter, Shepard, Thom, Tinbrook, Warriner. Weaver, Wilson, Wright, and Yocum—54.

Those who voted in the negative were,

Messrs. Allen, Beard, Brown of R., Butler, Conner, Elder, Farnesly Harvey, Hunter, Lank, May, Miller of O., Morrison, Prather, Rush, Shelby, Spencer, Stoops, Summers, Wells, and Whinery—21.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

A message from his Excellency, the Governor, by Mr. Tarkington, the executive messenger :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills :

- No. 459. An act to vacate the village of Mount Pleasant, in St. Joseph county ;
- No. 188. An act in relation to the change of names ;
- No. 206. An act defining the duties of county treasurers, in several counties therein named ;
- No. 178. An act to incorporate the Goodwin Female Institute, of Lafayette ;
- No. 440. An act in relation to the school funds in Floyd county ;
- No. 208. An act to repeal an act therein named concerning sheriffs, so far as the same relates to the county of Martin ;
- No. 129. An act to increase the fees of jurors before probate courts ;
- No. 324. An act to amend an act extending the jurisdiction of justices of the peace in certain criminal cases, approved, Feb. 16, 1848, and also to limit the sessions of the grand jury in Fulton county ;
- No. 416. An act to amend an act to incorporate the Peru and Indianapolis Railroad Company, approved, Jan. 19, 1846 ;
- No. 153. An act to amend section 141, of chapter 35, of the revised laws of 1843, relating to the duties of overseers of the poor ;
- No. 193. An act to regulate the per diem allowance for work done on the public highways, in Adams county, and other counties therein named ;
- No. 89. An act incorporating the Grand Royal Arch Chapter, of the State of Indiana ;
- No. 365. An act to amend an act entitled " an act to amend the charter of the Milford and Columbus Railroad company ; "
- No. 284. An act to incorporate the Rising Sun and Versailles Turnpike Company ;
- No. 257. An act to incorporate the Harrison and Boardman Turnpike road company ;
- No. 458. An act to amend an act entitled " an act to incorporate the Attica and Warren county Bridge company," approved February 16, 1848 ;
- No. 227. An act in relation to the auditor of Warrick county ;
- No. 219. An act concerning the duties of the county treasurer of the counties of Kosciusko and Knox ;
- No. 449. An act to prevent the sale of spirituous liquors in the township of Mound, in the county of Warren, without first procuring a license therefor ;

No. 300. An act relative to the field notes, maps, records, and other papers appertaining to the land titles within the State of Indiana ;

No. 218. An act to locate a state road between the counties of Vigo and Clay ;

No. 456. An act defining the boundaries of school district No. 1, in Congressional township No. 12 north, of range No. 5 west, in the counties of Clay and Owen ;

No. 461. An act to declare certain water courses in the counties of Perry and Spencer public highways, and for other purposes ;

No. 232. An act to authorize the location of of a State road on the county line of Porter and Lake counties ;

No. 231. An act to regulate the manner of doing business in the Jasper probate court ;

No. 230. An act to incorporate the West Point Literary and Agricultural College, in Tippecanoe county ;

No. 469. An act to vacate certain State roads therein named ;

No. 43. An act to provide for the election of township assessors in the county of Steuben ;

No. 448. An act to incorporate the Drewersburgh Turnpike Company ;

No. 481. An act to provide for the more effectually preventing the sale of intoxicating drinks in the town of Lewisville ;

No. 269. An act declaratory of the meaning of the 129th section of the act entitled "An act to revise and consolidate the several acts of the General Assembly, in relation to laying out, opening, repairing, changing, and vacating, public highways, and the erection and repair of bridges, and to amend the same," approved January 16th, 1849 ;

No. 501. An act explanatory of an act to amend an act, approved February 12th, 1848, providing for the election of township assessors and township collectors in Jennings county, and for other purposes ;

No. 510. A joint resolution in regard to the compensation of jurors in the United States District Court.

No. 295. An act authorizing the clerk of the Circuit Court of Carroll county to sell certain lots therein named ;

No. 486. An act relative to the extra pay of Clerk and Auditor of the county of Park ;

All of which originated in the House of Representatives.

Mr. Whinery, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have examined the following and find them correctly enrolled :

No. 378. An act to vacate a certain road therein named ;

No. 368. An act changing the mode of doing county business in the county of Crawford ;

No. 292. An act to revive an act to provide for the support of the indigent Blind of the State of Indiana ;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Spencer, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, to whom was referred the following, have compared and examined the same and find them correctly enrolled :

No. 259. An act to amend section 11, chapter 56, of the Revised Statutes of 1843 ;

No. 508. An act to authorize the trustees of the Methodist Episcopal Church in St. Louis, in Bartholomew county, to sell and convey a certain house and lot therein named ;

No. 494. An act to authorize the construction of a dam across the Tippecanoe river, in Pulaski county ;

No. 495. An act fixing the salary of the Auditor of Miami county ;

No. 296. An act for the distribution of the local laws, statutes, public documents, and reports to the City of Jeffersonville ;

No. 493. An act to attach certain families to a school district therein named, in the county of Knox ;

No. 283. An act relating to the Probate Court of Parke county ;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Weir, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled, to-wit :

No. 481. An act to provide for the more effectually preventing the sale of intoxicating drinks in the town of Lewisville ;

No. 486. An act relating to the extra pay of Clerk and Auditor of the county of Park ;

No. 448. An act to incorporate the Drewersburgh Turnpike Company ;

No. 501. An act explanatory of an act to amend an act, approved Feb. 12, 1848, providing for the election of township asses-

sors and township collectors in Jennings county, and for other purposes ;

No. 295. An act authorizing the clerk of the circuit court to sell certain lots in the town of Delphi for school purposes ;

No. 510. A joint resolution in regard to the compensation of jurors in the United States District Court ;

No. 269. An act declaratory of the meaning of the 129th section of the act, entitled "An act to revise and consolidate the several acts of the General Assembly in relation to laying out, opening, repairing, changing, and vacating public highways, and the erection and repairing of bridges, and to amend the same," approved Jan. 16, 1849 ;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the report of the committee of free conference on the part of the Senate to take into consideration, in connection with a similar committee on the part of the House, the disagreement between the two Houses in relation to the engrossed amendment of the Senate to engrossed bill of the House,

No. 64. An act in relation to extra taxes in Lamasco City ;

And that the Senate have agreed to the modification of said amendment as proposed by said committee.

On motion by Mr. Cravens,

The House adjourned.

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SATURDAY MORNING, 8 O'CLOCK, JANUARY 19, 1850.

The House met.

On motion by Mr. Edwards,

The reading of the journal was dispensed with.

On motion by Mr. Edwards,

Leave was granted him to withdraw the petition of sundry citizens of Terre Haute, relative to the election of the clerk and marshal of said town.

## REPORTS FROM COMMITTEES.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred a resolution of the House directing said committee to inquire into the constitutionality of the law allowing voters to vote for or against license to sell spirituous liquors, have directed me to report that other pressing duties have so entirely claimed their attention, as to leave little time for the consideration of the very difficult question presented in said resolution. It has not, however, escaped the notice of the committee, that there are decisions of courts (entitled, no doubt, to great respect) declaring such laws unconstitutional. A part of the committee rely with some degree of confidence upon these decisions, while an equal number question the premises and deductions of the courts above referred to. Under the circumstances, the committee are not prepared to answer the question contained in the resolution, and ask to be discharged from its further consideration.

Which report was concurred in.

Mr. Hicks, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary to which was referred bill of the House No. 319, entitled "A bill in relation to the surplus revenue and school funds in the counties of Dearborn and Ohio, and declaratory of the meaning of the act relative to loaning said funds," have had said bill under consideration, and instructed me to report the same back to the House and recommend that it be indefinitely postponed.

Which report was concurred in.

Mr. Spencer, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 628, entitled "an act to authorize masters in chancery to take acknowledgements of deeds and other instruments in writing, and to legalize their acts heretofore done," have had the same under consideration, and have instructed me to make the following report :

Amend said bill by striking it out from its enacting clause and in-

sert the following, and when so amended they recommend its passage:

Strike all out after the enacting clause and insert the following—

That all the acts of Robert A. Chandler, as master in chancery in the county of Warren, in taking acknowledgments of deeds and other instruments of writing, be, and the same are hereby confirmed and legalized to all intents and purposes.

Sec. 2. This act shall be in force from and after its passage.

Which amendment was concurred in.

On motion,

The bill was read a third time, the rule being suspended therefor, and passed.

On motion by Mr. Chandler,

The title was amended so as to read as follows:

“An act to legalize the proceedings of Robert A. Chandler, a master in chancery in the county of Warren.”

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Chandler, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee to whom was referred the House bill No. 369, entitled an act regulating fees and salaries of the several officers and persons therein named, have had the same under consideration and have instructed me to report that owing to the shortness of time to legislate on that subject, and the great improbability of not being able to pass the same this session, they recommend that it is inexpedient to legislate on that subject this session, and recommend that said bill be indefinitely postponed, and that they be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Chandler, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee, to whom was referred House bill No. 556, entitled “an act to amend an act relative to the execution of decrees in chancery,” approved January 16, 1849, have had the same under consideration, and have instructed me to report the same back to the House and recommend that said bill be indefinitely postponed.

Which report was concurred in.

Mr. Hart, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred joint resolution of the House, No. 47, entitled "A Joint resolution on the subject of a Railroad from some point on the Mississippi, to the Pacific," have had the same under consideration and have directed me to report the same back to the House, and recommend it to be laid upon the table, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Elder, chairman of the committee on benevolent and scientific institutions, made the following report :

MR. SPEAKER :

The committee on benevolent and scientific institutions to whom was referred a communication from "the American Association for the advancement of Science," in relation to establishing a geological survey of the State, have had the subject under consideration and have instructed me to report that, in their opinion, it is inexpedient to take any legislative action on the subject at this time.

Which report was concurred in.

Mr. Harney, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred Senate bill No. 287, with pending amendments, have had the same under consideration and beg leave to report the same back, with the following amendments to the amendments, which with the amendments being adopted, they would respectfully recommend its passage :

Amend by filling the blank in section 6, by inserting the word "ten."

Amend further, by striking out section seventeen.

Amend the amendment by adding the following :

"Insert in lieu thereof—it shall not be lawful for the said company to erect or maintain any toll gate within a mile and a-half from the towns of Crawfordsville, Rockville, or Terre Haute, and in all matters respecting the right of way or the use of public roads, or in any other matters not expressed in this charter, the company shall be subject to the provisions of the general Plank Road Law,

an act entitled "An act authorizing the construction of Plank Roads," approved January 15, 1849.

Which amendments were concurred in.

On motion,

The rule was suspended, the bill read a second and third times and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Brown of Shelby, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of 152 ladies of Shelbyville, have had the same under consideration and they have directed me to make the following report:

Your committee are of opinion that, as a general bill on the subject of retailing ardent spirits has been defeated, that a local bill would meet the same fate in this House, your committee, therefore, deem it inexpedient to legislate further on the subject and after the adoption of the following resolution, ask to be discharged from the further consideration thereof:

*Resolved*, That in the opinion of the House of Representatives of the State of Indiana, that the ladies of Shelbyville, are worthy of the high consideration of the philanthropist and patriot, for the deep anxiety they have manifested for the welfare of their people.

Which report was concurred in.

Mr. Huey, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred a petition signed by 21 citizens of the county of Jay, to raise additional road tax, have had the same under consideration and the committee have directed me to report that it is inexpedient to grant the prayer of said petitioners, and the committee ask to be discharged from the further consideration on that subject.

Which report was concurred in.

Mr. Humphreys, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 216, have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage.



On motion,  
The rule was suspended, the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

The Speaker laid before the House the following communication from the Secretary of the Indiana Mutual Fire Insurance Company :

OFFICE INDIANA MUTUAL FIRE INSURANCE COMPANY, }  
Indianapolis, January 18, 1850. }

HON. GEO. W. CARR,

*Speaker of the House of Representatives :*

SIR :—In accordance with the requirements of the twenty-second section of the act incorporating this company, I herewith inclose a copy of the Thirteenth Annual Report of the Directors to the members.

Very respectfully,  
Your obedient servant,  
CHAS. W. CADY, *Secretary*.

### THIRTEENTH ANNUAL REPORT.

OFFICE INDIANA MUTUAL FIRE INSURANCE COMPANY, }  
December 5, 1849. }

The Board of Directors of said Company respectfully present to the members, at their thirteenth Annual meeting, the following Report of its operations and condition, for the year commencing December 1, 1848, and ending November 30, 1849.

Policies have been issued during the year to the number of 200.

|                                          |   |   |   |              |
|------------------------------------------|---|---|---|--------------|
| Insuring property to the amount of       | - | - | - | \$247,850 00 |
| The premium notes on which amount to     | - | - | - | 17,015 95    |
| The five per cent. on the premium notes, | - | - | - | 850 79½      |
| The fees for policies,                   | - | - | - | 200 00       |

|                                                 |   |   |              |
|-------------------------------------------------|---|---|--------------|
| The whole number of policies issued since March |   |   |              |
| 20, 1837, is                                    | - | - | 4,222 00     |
| Covering property to the amount of              | - | - | 6,911,240 00 |
| Of which there has been discharged,             | - | - | 5,448,970 00 |
| Leaving at risk November 30, 1849,              | - | - | 1,462,270 00 |

The whole amount of premium notes taken since

|                                         |   |   |   |   |   |              |
|-----------------------------------------|---|---|---|---|---|--------------|
| March 20, 1837, is                      | - | - | - | - | - | \$483,587 65 |
| Of which has been discharged the sum of | - | - | - | - | - | 383,665 40   |
| Leaving in force November 30, 1849,     | - | - | - | - | - | 99,922 25    |

#### RECEIPTS.

The receipts for the year commencing December 1, 1848, and ending November 30, 1849, have been as follows :

|                                              |        |    |   |     |          |              |
|----------------------------------------------|--------|----|---|-----|----------|--------------|
| Balance November 30, 1848,                   | -      | -  | - | -   | -        | \$5,444 63½  |
| Five per cent. on premium notes,             | -      | -  | - | 850 | 79¾      |              |
| Fees for policies,                           | -      | -  | - | 200 | 00       |              |
| Assessments on expired and discharged notes, | -      | -  | - | -   | 1,772 62 |              |
| Interest on assessments,                     | -      | -  | - | -   | 106 37   |              |
| Assessment No. 3, ordered Sept. 26, 1840,    |        |    |   | 71  | 60       |              |
| Assessment No. 4, ordered Aug. 11, 1841,     |        |    |   | 22  | 95       |              |
| Assessment No. 5, ordered July 28, 1842,     |        |    |   | 88  | 25       |              |
| Assessment No. 6, ordered Aug. 25, 1843,     |        |    |   | 93  | 65       |              |
| Assessment No. 7, ordered Sept. 9, 1844,     |        |    |   | 45  | 85       |              |
| Assessment No. 8, ordered Sept. 4, 1845,     |        |    |   | 153 | 36       |              |
| Assessment No. 9, ordered Oct. 10, 1846,     |        |    |   | 128 | 73       |              |
| Assessment No. 10, ordered Oct. 11, 1847,    |        |    |   | 454 | 73       |              |
| Assessment No. 11, ordered Oct. 7, 1848,     | 10,517 | 34 |   |     |          |              |
| Assessment No. 12, ordered Sept. 26, 1849,   | 1,182  | 33 |   |     |          |              |
| Profit and loss,                             | -      | -  | - | -   | 11 54    |              |
|                                              |        |    |   |     |          | 15,700 11½   |
| Total,                                       | -      | -  | - | -   | -        | \$21,144 75½ |

#### EXPENDITURES.

The payments during the year have been as follows :

|                                  |   |   |   |   |            |             |
|----------------------------------|---|---|---|---|------------|-------------|
| Losses by fire,                  | - | - | - | - | \$8,107 72 |             |
| Interest on losses,              | - | - | - | - | 1,926 20   | \$10,033 92 |
| Profit and loss,                 | - | - | - | - | -          | 108 01      |
| Abatement account,               | - | - | - | - | -          | 42 58       |
| Printing and advertising,        | - | - | - | - | 289 79     |             |
| Agents for commission,           | - | - | - | - | 812 74½    |             |
| Agents for applications,         | - | - | - | - | 196 00     |             |
| Books and stationery,            | - | - | - | - | 34 35      |             |
| Postage on letters and packages, | - | - | - | - | 96 99      |             |
| Professional services,           | - | - | - | - | 93 50      |             |

## Investigation of losses, and examining

|                                    |   |   |   |   |   |       |    |
|------------------------------------|---|---|---|---|---|-------|----|
| Agencies,                          | - | - | - | - | - | 102   | 33 |
| Costs of suit,                     | - | - | - | - | - | 94    | 88 |
| Rent and heat of office rooms,     | - | - | - | - | - | 250   | 00 |
| Salary of President and Treasurer, | - | - | - | - | - | 500   | 00 |
| Salary of Secretary,               | - | - | - | - | - | 1,200 | 00 |
| Clerk hire,                        | - | - | - | - | - | 308   | 00 |

|          |   |   |   |   |   |   |   |
|----------|---|---|---|---|---|---|---|
| Balance, | - | - | - | - | - | - | - |
|----------|---|---|---|---|---|---|---|

3,978 58½

6,981 66½

---

 \$21,144 75½

*The following Schedule exhibits the Losses by Fire, estimated interest thereon, and other liabilities sustained and incurred by the Indiana Mutual Fire Insurance Company since October 4, 1848, with the rate of assessment.*

| <i>Date of Loss.</i> | <i>Name of Insured.</i>         | <i>Residence.</i> | <i>Amount Loss.</i> | <i>Estimated Interest.</i> | <i>Rate of Assessment.</i>          |
|----------------------|---------------------------------|-------------------|---------------------|----------------------------|-------------------------------------|
| 1847, November.      | S. B. Stanton,                  | Richmond,         | \$20 00             |                            |                                     |
| 1848, October 4.     | Perham & Gregg,                 | Martinsville,     | 2,350 00            | 168 00                     | Requiring 3 per cent.               |
| 1848, October 4.     | Lydia Barker,                   | Wilmington,       | 530 00              | 39 57                      | Requiring 1 per cent.               |
| 1848, December 27.   | S. V. B. & T. G. R. Noel,       | Indianapolis,     | 200 00              | 12 17                      | Requiring $\frac{1}{2}$ per cent.   |
| 1849, February 12.   | Charles Martens,                | Indianapolis,     | 3 50                |                            |                                     |
| 1849, February 13.   | Trustees Crawford Co. Seminary, | Leavenworth,      | 800 00              | 42 53                      | Requiring 1 per cent.               |
| 1849, March 31.      | James Farrington,               | Terre Haute,      | 766 67              | 34 63                      | Requiring 1 per cent.               |
| 1849, May 17.        | Estate of Jesse Williams,       | Franklin,         | 266 67              | 10 00                      | Requiring $\frac{1}{2}$ per cent.   |
| 1849, July 14.       | John R. Everton,                | Mount Vernon,     | 277 00              | 7 76                       | Requiring $\frac{1}{2}$ per cent.   |
| 1849, August 7.      | Joseph H. Brewer,               | Wabash,           | 800 00              | 19 33                      | {                                   |
| 1849, August 7.      | Samuel A. Busick,               | Wabash,           | 400 00              | 9 67                       |                                     |
| 1849, August 7.      | William T. Ross,                | Wabash,           | 360 00              | 8 70                       | Requiring 2 per cent.               |
|                      |                                 |                   |                     |                            |                                     |
|                      | Interest,                       |                   | 6,673 84            | 352 36                     |                                     |
|                      | Incidental expenses,            |                   | 332 36              |                            |                                     |
|                      | Contingent losses,              |                   | 1,500 00            |                            | Requiring 1 $\frac{1}{2}$ per cent. |
|                      |                                 |                   | 2,000 00            |                            | Requiring 2 per cent.               |
|                      | <b>Total,</b>                   |                   | <b>\$10,526 20</b>  |                            | <b>13 per cent.</b>                 |

## TOTAL RECEIPTS.

|                                                  |           |              |
|--------------------------------------------------|-----------|--------------|
| There has been received since March 20, 1837, on |           |              |
| account of five per cent. on premium notes,      | - -       | \$24,179 38½ |
| Fees for policies,                               | - - - - - | 4,222 00     |
| Assessments on discharged and expired notes,     | - -       | 19,921 04½   |
| Loans to pay losses,                             | - - - - - | 30,647 60    |
| Assessment No. 1, ordered Oct. 9, 1838,          | - - -     | 6,359 33     |
| Assessment No. 2, ordered Sept. 30, 1839,        | - - -     | 15,324 58    |
| Assessment No. 3, ordered Sept. 26, 1840,        | - - -     | 28,429 03    |
| Assessment No. 4, ordered Aug. 11, 1841,         | - - -     | 15,786 05    |
| Assessment No. 5, ordered July 28, 1842,         | - - -     | 24,595 41    |
| Assessment No. 6, ordered Aug. 25, 1843,         | - - -     | 9,940 45     |
| Assessment No. 7, ordered Sept. 9, 1844,         | - - -     | 6,143 29     |
| Assessment No. 8, ordered Sept. 4, 1845,         | - - -     | 9,421 05     |
| Assessment No. 9, ordered Oct. 10, 1846,         | - - -     | 8,194 79     |
| Assessment No. 10, ordered Oct. 11, 1847,        | - - -     | 9,928 62     |
| Assessment No. 11, ordered Oct. 7, 1848,         | - - -     | 10,684 33    |
| Assessment No. 12, ordered Sept. 23, 1849,       | - - -     | 1,182 33     |
| Interest on assessments,                         | - - - - - | 1,155 58     |
| Judgments on premium notes,                      | - - - - - | 240 19       |
| Profit and loss,                                 | - - - - - | 247 52½      |
|                                                  |           | <hr/>        |
|                                                  |           | \$226,602 58 |

## TOTAL EXPENDITURES.

*There has been paid since the 20th March, 1837, on account of*

|                                     |           |                |
|-------------------------------------|-----------|----------------|
| Losses by fire,                     | - - - - - | - \$122,349 43 |
| Interest on losses,                 | - - - - - | 11,410 84      |
| Incidental expenses,                | - - - - - | 52,495 68½     |
| Abatement,                          | - - - - - | 416 14½        |
| Interest, discount, and exchange,   | - - - - - | 1,909 53½      |
| Profit and loss,                    | - - - - - | 354 71         |
| Assessment No. 1, re-paid,          | - - -     | \$9 45         |
| Assessment No. 2, re-paid,          | - - -     | 2 83           |
|                                     |           | <hr/>          |
|                                     |           | 12 28          |
| Judgments on premium notes re-paid, | - - -     | 24 69          |
| Loans re-paid,                      | - - - - - | 30,647 60      |
| Balance,                            | - - - - - | 6,086 66½      |
|                                     |           | <hr/>          |
|                                     |           | 226,602 58     |

# PROGRESS OF THE COMPANY.

The following table exhibits at the end of each month the number of Policies issued; amounts issued; amount of premium notes; of 5 per centage; increase of amount insured; amount discharged; and amounts at risk and in force.

| Months.        | Policies. | Amount Insured. | Premium Notes. | Five per cent. | INCREASE.       |                | DISCHARGED.     |                | AT RISK.        |                | IN FORCE.    |
|----------------|-----------|-----------------|----------------|----------------|-----------------|----------------|-----------------|----------------|-----------------|----------------|--------------|
|                |           |                 |                |                | Amount Insured. | Premium Notes. | Amount Insured. | Premium Notes. | Amount Insured. | Premium Notes. |              |
| 1848, Dec. 31, | 4044      | \$6,694,770     | \$463,322 30   | \$23,426 11½   | \$31,380        | \$1,950 60     | \$36 5 0        | \$2,742 70     | \$1,514,620     |                | \$103,330 75 |
| 1849, Jan. 31, | 4065      | 6,716,200       | 469,854 85     | 23,492 74½     | 21,430          | 1,332 55       | 11,950          | 987 50         | 1,524,100       |                | 103,675 80   |
| " Feb. 28,     | 4075      | 6,728,420       | 470,702 15     | 23,535 10½     | 12,220          | 1,874 20       | 5,730           | 346 40         | 1,530,590       |                | 104,176 60   |
| " Mar. 31,     | 4091      | 6,747,980       | 471,989 55     | 23,599 47½     | 19,560          | 1,287 50       | 37,910          | 2,409 60       | 1,512,240       |                | 103,054 50   |
| " Apr. 30,     | 4104      | 6,755,420       | 472,691 05     | 23,634 55½     | 10,440          | 701 50         | 10,050          | 792 50         | 1,512,630       |                | 102,963 50   |
| " May 31,      | 4111      | 6,768,420       | 473,280 45     | 23,664 02½     | 10,000          | 569 40         | 30,450          | 2,269 00       | 1,492,180       |                | 101,283 90   |
| " June 30,     | 4121      | 6,782,030       | 474,297 25     | 23,714 86½     | 14,510          | 1,016 80       | 17,980          | 1,312 40       | 1,488,710       |                | 100,988 30   |
| " July 31,     | 4145      | 6,813,120       | 476,413 75     | 23,820 68½     | 30,190          | 2,116 50       | 57,510          | 3,694 55       | 1,461,390       |                | 99,410 25    |
| " Aug. 31,     | 4156      | 6,826,850       | 477,592 85     | 23,879 64½     | 13,750          | 1,179 10       | 21,010          | 1,538 50       | 1,454,110       |                | 99,050 85    |
| " Sept. 30,    | 4170      | 6,844,870       | 478,737 75     | 23,939 88½     | 18,650          | 1,204 90       | 23,480          | 1,502 80       | 1,448,650       |                | 98,752 95    |
| " Oct. 31,     | 4189      | 6,867,110       | 480,441 35     | 24,002 06½     | 22,210          | 1,643 00       | 22,410          | 1,759 30       | 1,448,450       |                | 98,637 25    |
| " Nov. 30,     | 4222      | 6,911,240       | 483,557 65     | 24,119 38½     | 44,130          | 3,146 30       | 30,310          | 1,861 30       | 1,462,970       |                | 99,932 25    |



## AFFAIRS OF THE COMPANY.

From the foregoing statement it will be seen that there has been but little change in the operations and conditions of the Company since the last annual report.

The number of policies issued during the year was two hundred.

During last year there were issued two hundred and thirty-eight.

|                                                     |           |           |     |
|-----------------------------------------------------|-----------|-----------|-----|
| The property insured during the year amounts to     | -         | \$247,850 | 00  |
| Last year it amounted to                            | - - - - - | 277,890   | 00  |
| The Premium notes taken during the year amounts to  |           | 17,015    | 95  |
| Last year they amounted to                          | - - - - - | 19,127    | 70  |
| The five per cent. received on premium notes during |           |           |     |
| the year amounts to                                 | - - - - - | 850       | 79½ |
| Last year it amounted to                            | - - - - - | 956       | 38½ |
| The total amount of premium notes in force at the   |           |           |     |
| close of the year is                                | - - - - - | 99,922    | 25  |
| Last year they amounted to                          | - - - - - | 104,122   | 85  |
| The amount at risk at the close of the year is      | -         | 1,462,270 | 00  |
| Last year it was                                    | - - - - - | 1,519,740 | 00  |
| The receipts from all sources during the year is    | -         | 15,700    | 11  |
| Last year they amounted to                          | - - - - - | 13,225    | 53  |
| The payments on account of losses and interest,     | -         | 10,003    | 92  |
| Last year they amounted to                          | - - - - - | 9,451     | 63  |

The reduction on the items of premium notes now in force, and the amount of property at risk, is occasioned in part by the discharge of a number of policies where alienations and transfers of the property insured had been made at different times, and in part by an increased caution in taking hazardous risks, by which a considerable number of applications have been rejected where the risk and exposure were deemed too great to be desirable. By this means the general character of the property insured by the Company is gradually improving, and a consequent reduction in the amount of losses, may reasonably be expected.

It will be seen by the above comparison, that there has been during the past year, an increase in the amount of receipts over the preceding year, and also an increase in the amount of payments on losses and interest. This indicates some improvement in promptitude and punctuality on the part of members and agents.

|                                     |           |           |              |
|-------------------------------------|-----------|-----------|--------------|
| Losses prior to allowances of 1848, | -         | \$126,276 | 85           |
| Losses allowed in 1848,             | - - - - - | 8,671     | 89           |
|                                     |           | <hr/>     | \$134,948 74 |

|                                   |   |           |              |
|-----------------------------------|---|-----------|--------------|
| Payments on losses prior to 1848, | - | \$114,241 | 71           |
| Payments during 1848,             | - | 8,107     | 72           |
|                                   |   |           | <hr/>        |
|                                   |   |           | \$122,349 43 |

Leaving outstanding prior to 1849, - - - \$12,599 31

To meet which, ample provisions have been heretofore made.

In behalf of the Board of Directors,

B. F. MORRIS, *President*.

On motion by Mr. Prather,

The report was laid on the table.

On motion by Mr. Hicks,

The order of business was suspended, and the House took from the table House bill

No. 492. A bill to amend an act entitled "an act to extend the jurisdiction of justices of the peace in certain criminal cases," approved Feb. 16, 1848, and to repeal an act entitled "an act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 16th, 1849.

Mr. Hicks moved to strike out the 8th section, and insert the following :

Sec. 8. The counties of Madison, Hancock, Carroll, Clinton, Delaware, Boone, Martin, Daviess, Shelby, Putnam, Greene, Switzerland, Ohio, Fountain, Dearborn, Tippecanoe, Ripley, White, Franklin, Brown, Knox, Blackford, Bartholomew, Jefferson, Monroe, Jennings Adams, Wells, Gibson, Owen, Montgomery, Monroe, Marion, Parke, Hamilton, and Tipton, are excepted out of the provision of this act.

Sec. 9. The act entitled "an act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 16, 1849, so far as the counties of Randolph, Elkhart, and Grant are concerned, are hereby repealed.

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

On motion,

The rule was suspended and the bill read a third time and passed.

Mr. Hicks moved to amend the title by striking out all after the word "1848."

Which motion prevailed.

*Ordered*, That the Clerk inform the Senate thereof.

#### RESOLUTIONS.

Mr. Knowlton offered the following resolution :

*Resolved*, That when the House adjourns, it will adjourn to meet at 1 o'clock, P. M.

Which was not adopted.

Mr. Morrison offered the following resolution :

*Resolved*, That when this House adjourns this evening, it will adjourn to meet on Monday next, at 4 o'clock, A. M.

Mr. Chandler moved to strike out "four," and insert "five."

Which motion prevailed.

The resolution as amended was adopted.

On motion by Mr. Weir,

*Resolved*, That in the opinion of this House, the annual report of the Indiana Mutual Insurance Company, required to be made to the General Assembly, ought to be made at an earlier period of the session than it was made at this session.

On motion by Mr. Cravens,

*Resolved*, That the thanks of this House be tendered to the Principal and Assistant Clerks of this House for the prompt and efficient manner in which they have discharged their several duties.

On motion by Mr. Cravens,

*Resolved*, That the thanks of this House be tendered to Messrs. N. Bolton and L. Wallace, Reporters for the Sentinel and Journal, for the impartial manner in which they have reported the proceedings of this House at its present session.

*Resolved, unanimously*, That the thanks of this House are due, and are hereby tendered, to the Hon. George W. Carr for the correct, faithful, and impartial manner in which he has discharged his duties as Speaker of the House of Representatives at its present session.

Mr. Connor moved to suspend the order of business ;

Which motion prevailed.

On motion by Mr. Connor,

The vote was reconsidered on the passage of bill of the House, No. 528. A bill to legalize the proceedings of Robert A. Chandler, a Master in Chancery in the county of Warren.

Mr. Connor offered the following amendment :

"That the acknowledgment of a deed of conveyance made by William H. Willian and wife, of Clark county, State of Missouri, to Harman G. Barkwell, Henry Lowrey, and Thomas H. Lowrey, which said acknowledgment was taken by Willis Curd, clerk of the Circuit Court of said Clark county, and State aforesaid, is hereby declared to be valid in law, and the Recorder of Spencer county, Indiana, is hereby authorized to record the same."

Which amendment, by the unanimous consent of the House, was adopted.

The question then recurring on the passage of the bill,

Was decided in the affirmative.

On motion,

The title of the bill was amended by adding, "and for other purposes."

*Ordered*, That the clerk inform the Senate thereof.

Mr. Cravens offered the following resolution :

*Resolved*, That the thanks of this House be tendered to the Principal and Assistant Doorkeepers for the faithful discharge of their several duties ;

Which was adopted.

On motion by Mr. Niblack,

The vote was reconsidered on laying on the table Senate bill, No. 146. A bill to amend article 5, chapter 28, of the Revised Statutes of 1843.

The question then recurring on ordering the bill to a third reading,

Was decided in the affirmative.

On motion,

The rule was suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

#### BILLS, &C., INTRODUCED.

By Mr. Brown of Randolph,

No. 560. A bill to change the time of holding the Probate Court of Randolph county ;

Which was read three several times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

By Mr. Shelby,

No. 561. A bill to amend the 8th section of the School Law of 1849, in the county of Tippecanoe ;

Which was read three several times, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

By Mr. Brown of Randolph,

No. 562. A bill to incorporate the town of Winchester in the county of Randolph ;

Which was read three several times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

## ORDERS OF THE DAY.

*House Bills on third reading.*

No. 353. A joint resolution relative to the redemption of the Wabash and Erie Canal Scrip east of Tippecanoe ;

Was read a third time.

Mr. Edwards moved to recommit the bill to the committee on claims, with instruction to amend by striking out 2d section. And to make out such other amendments as in their opinion would be proper ; also to report to this House whether the passage of the joint resolution would be expedient ;

Which motion prevailed.

No. 251. A bill to collect and reprint the school laws ;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 549. A joint resolution on the subject of public lands ;

No. 551. A joint resolution authorizing the officers of State to procure a suitable room for the sittings of the Convention ;

Were each read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Dougherty of Boone, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred "a joint resolution authorizing the officers of State to procure a suitable room for the sitting of the convention," have had the same under consideration, and directed me to report the same back to the House with the following amendment, which when adopted, said committee recommend the passage of the joint resolution :

Amend as follows—

Strike out after the enacting clause and insert

Section 1. That so much of an act entitled "an act to provide for the call of a convention of the people of the State of Indiana, to revise, amend, or alter the Constitution of said State, as relates to the fitting up of the Hall of Representatives for the reception of the Convention, under the supervision of the Librarian be and the same is hereby suspended until the next meeting of this General Assembly ; and the Governor, Auditor, and Treasurer of State are hereby authorized to provide suitable accommodations for the same either in the Representatives Hall, or in the Masonic Hall, or in any suitable building at their option : *Provided*, the entire rent of any Hall selected for said purpose shall not exceed the sum of one hundred dollars per month.

Sec. 3. This joint resolution to be in force from and after its passage ;

Which amendment was concurred in.

On motion by Mr. Carnahan of Fountain,

The rule was suspended, the joint resolution read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Carnahan of Fountain,

The order of business was suspended.

Mr. Carnahan of Fountain, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of Wm. Smally and others, praying a release of the bondholders of the Wabash and Erie Canal, from all obligations of making or constructing the Williamsport and Independence side cuts, on conditions that said bondholders or their agents should subscribe and pay to the Attica, Warren county Bridge company twenty-five thousand dollars, together with the remonstrance of B. F. Gregory, and many others, citizens of Warren county, against said release, have had the same under consideration, and a majority have instructed me to report that it is inexpedient to legislate thereon at the present session.

Which report was concurred in.

#### HOUSE BILLS ON SECOND READING.

No. 536. A bill making an appropriation for repairing the State House ;

Was read a second and third times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 559 A bill concerning free negroes, mulattoes, servants, and slaves ;

Was read a second time.

Mr. Butler moved to indefinitely postpone the bill ;

The ayes and noes being demanded by Messrs. Mickle and Butler :

*Those who voted in the affirmative were,*

Messrs. Allen, Alley, Beard, Bowen, Brown of Randolph, Butler, Chandler, Cole, Conaway, Elder, Essex, Gessie, Harney, Hart, Har-



vey, Hicks, Hill, Hillis, Keeney, Knowlton, Lank, May, Miller of Marshall and Fulton, Miller of Owen, Murray, Orr, Prather, Robinson of Decatur, Robinson of Laporte, Robson, Rush, Russell, Shelby, Spencer, Stoops, Summers, Thom, Tinbrook, Warriner, Whinery, and Wright—41.

*Those who voted in the negative were,*

Messrs. Athon, Barker, Bird, Brown of Shelby, Burnet, Byers, Caldwell, Carnahan of Fountain, Carnahan of Posey, Connor, Cravens, Dougherty of Boone, Edwards, Ellis, Farnesly, Gentry, Great-house, Holcomb, Humphreys, Hunter, Johnson, Landiss, Lane Menough, Mickle, Morrison, Niblack, O'Haver, Reed, Richardson, Ross, Salter, Sherrod, Wells, Wilson, Withers, Yocum, and Mr. Speaker—38.

So the bill was indefinitely postponed.

#### SENATE BILLS ON THEIR THIRD READING.

No. 50. A joint resolution relative to the election of United States Senators ;

Was read a third time.

The question being on the passage of the bill,

Was decided in the negative.

No. 182. A bill to authorize the taking of depositions of practicing physicians in certain cases ;

No. 223. A bill directing the Secretary of State to make a patent to James Hensley for certain Wabash and Erie Canal lands ;

No. 230. A bill to amend an act entitled "an act to compel speculators to pay a road tax equal to that paid by actual settlers, and for other purposes, in the county of Tipton ;"

No. 268. A bill providing for the re-location of Orr and Harrison's addition to the eastern enlargement of Evansville, and for other purposes ;

Were severally read a third time and passed.

*Ordered,* That the Clerk inform the Senate thereof.

No. 279. A bill to incorporate the Brookville Railroad company ;  
Was read a second time.

Mr. Elder moved to re-commit the bill to a select committee, with instructions to amend so as to define the points to which said road shall run ;

Which motion prevailed.

The Speaker appointed Messrs. Elder, Butler, and Ross said committee.

No. 318. A bill to amend chapter 5, article 48, of the Revised Code ;

Was read a third time and passed.

*Ordered, That the Clerk inform the Senate thereof.*

SENATE BILLS ON SECOND READING.

No. 338. A bill to incorporate the Logansport Insurance Company;

No. 340. A bill to incorporate the Cincinnati and St. Louis Telegraph Company;

No. 341. A bill for the relief of Paul Egbert and others;

No. 343. A bill in relation to the erection of a school house in Cambridge city;

Were severally read a second and third times, the rule being suspended therefor, and passed.

*Ordered, That the Clerk inform the Senate thereof.*

No. 345. A bill repealing certain laws so far as the same relates to Hancock county, and for other purposes;

Was read a second time, and,

On motion,

Referred to a select committee consisting of Messrs. Alley, Byers, and Rush.

On motion by Mr. Wilson,

The order of business was suspended, and the following joint resolution of the House taken up:

No. 563. A joint resolution authorizing the Governor of the State to sell certain property;

On motion,

The joint resolution was referred to a select committee consisting of

Messrs. Wilson, Robson, and Hillis.

No. 346. A bill defining the duties of the Treasurer of Madison county, as to road tax;

Was read a second and third times, the rules being suspended therefor, and passed.

*Ordered, That the Clerk inform the Senate thereof.*

No. 347. A bill relative to tavern and grocery license in Hancock county;

Was read a second time, and,

On motion,

Referred to a select committee consisting of Messrs. Alley, Byers, and Rush.

No. 351. A bill to provide for the election of a prosecuting attorney in the county of Wabash;

No. 353. A bill to increase the pay of the Probate Judge of Harrison county;

No. 357. A bill authorizing the election of an additional justice of the peace for North Madison.

No. 359. A bill for the relief of Crawford Byrd;

No. 361. A bill to vacate a certain alley in the town of Spencerville ;

No. 362. A bill to amend an act to incorporate the Wilmington and Aurora Insurance Company, approved, February 2d, 1849 ;

No. 363. A bill to authorize Michael F. Bourke to obtain license to practice law in this State ;

Were severally read a second and third times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 368. A bill to authorize a company to construct the Manchester and Elizabethtown Turnpike ;

Was read a second time and,

On motion by Mr. Spencer,

Referred to a select committee, consisting of

Messrs. Spencer, Watkins, Conaway, and Hicks.

No. 369. A bill to amend an act entitled, "An act granting the citizens of Lawrenceburgh, a city charter, and for revising and repealing all laws and parts of laws heretofore enacted on that subject ;"

No. 371. A bill to amend an act entitled, "An act to change the time of holding courts in the eighth judicial circuit," approved, January 15, 1849 ;

No. 375. A bill to authorize the sheriff of Lawrence county, to serve process issued by justices of the peace in certain cases ;

No. 376. A bill to re-open a road in Cass county ;

No. 377. A bill conferring the power upon the voters of Wayne township, Henry county, to determine the question of "license or no license ;"

No. 378. A bill to change the time of holding Probate courts of Dearborn county ;

No. 379. A bill to vacate a certain State road in Dekalb county, and for other purposes ;

No. 380. A bill to extend the time of the March and June sessions of the Board of County Commissioners of Cass county ;

No. 387. A bill to extend an act, more effectually to prevent the retailing of spirituous liquors in certain counties therein named, approved, January 16, 1849 ;

No. 390. A bill to authorize the Governor to appoint a Private Secretary ;

No. 394. A bill declaring the meaning of section 11, of chapter 4 of the Revised Statutes of 1843 ;

No. 395. A bill to amend an act entitled, "An act to provide for the elction of Township Assessors in the counties therein named, and defining their duties," approved, January 27, 1847, so far as relates to the county of Monroe ;

Was severally read a second and third times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 405. A bill changing the time of holding the Hancock Circuit Court, from the 2d Mondays in February and August, to the 4th Mondays in March and September ;

Was read a second time, and,

On motion by Mr. Hunter,

Referred to a select committee, consisting of

Messrs. Hunter, Russell, and Alley.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills to-wit :

No. 336. A joint resolution in relation to an appropriation by the General Government, for the improvement of the harbor at Michigan City and the Ohio river ;

In which the concurrence of the House is respectfully requested.

Which bill was read three several times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, with sundry amendments :

No. 99. An act fixing the salaries of the auditor and treasurer of Allen county ;

No. 225. An act defining the duties of treasurer of Dearborn county, and other counties therein named, and other officers, in relation to the common school fund, in said counties ;

No. 255. An act defining the jurisdiction of justices of the peace in Marion and Boone counties, and amendatory of an act, entitled "An act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 16, 1849 ;

No. 472. An act to compel speculators to pay a tax equal to that paid by actual settlers, in the county of Lagrange ;

In which amendment the concurrence of the House is respectfully requested.

The question being on concurring in the amendment of the Senate, to House bill, No. 99, entitled "A bill fixing the salaries of the auditor and treasurer of Allen county ;"

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The question being on concurring in the amendment of the Senate, to House bill, No. 225, entitled "A bill defining the duties of the treasurer of Dearborn county, and other counties therein named, and other officers, in relation to the common school fund in said counties ;"

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Alley,

The following joint resolution of the House was taken up :

No. 490. A joint resolution relative to the preservation of a republican government and justice to public servants.

Mr. Wilson moved to strike out the joint resolution from the resolving clause, and insert the following :

That we have implicit confidence in the public honesty of Z. Taylor, who during a long period of service in the camp and field, was never charged or proved guilty of selling government mules, and appropriating the price thereof, to his own personal benefit, nor has he ever, in a single instance, been charged with peculation, in any of its various forms.

*Resolved*, That we have also, entire confidence in the personal courage of Z. Taylor, and believe he would never quarrel with a neighbor, and at the first demonstration of resistance, ingloriously run vociferating murder ! murder !!

Mr. Elder moved to lay the amendment on the table ;

The ayes and noes being demanded by Messrs. Orr and Burnet :

*Those who voted in the affirmative were,*

Messrs. Alley, Athon, Barker, Beard, Bird, Brown of Randolph, Brown of Shelby, Carnahan of Posey, Conaway, Cravens, Dodd, Elder, Ellis, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Harvey, Hicks, Holcomb, Huey, Humphreys, Hunter, Landiss, May, Menaugh, Mickle, Miller of Marshall and Fulton, O'Haver, Richardson, Robson, Ross, Salter, Sherrod, Spencer, Thomas, Thom, Warri-ner, Weaver, Wells, Withers, Yocum, and Mr. Speaker—42.

*Those who voted in the negative were,*

Messrs. Bowen, Burnet, Butler, Carnahan of Fountain, Cole, Connor, Edwards, Gessie, Hillis, Keeney, Knowlton, Lane, Miller of Owen, Millikan, Morrison, Orr, Prather, Reed, Robinson, of Decatur, Robinson of Laporte, Rush, Russell, Shelby, Sherrod, Shepard, Stone, Summers Thom, Tinbrook, Wilson, Whinery, and Wright—31.

So the amendment was laid on the table.



Mr. Spencer called the previous question.

The question being on seconding the previous question,

The ayes and noes being demanded by Messrs. Orr and Shelby

*Those who voted in the affirmative were,*

Messrs. Alley, Athon, Barker, Beard, Bird, Brown of Randolph, Brown of Shelby, Carnahan of Posey, Chandler, Conaway, Dodd, Elder, Ellis, Essex, Farnesly, Gentry, Greathouse, Hart, Harvey, Holcomb, Huey, Humphreys, Landiss, May, Menaugh, Mickle, Robson, Ross, Salter, Sherrod, Spencer, and Withers—32.

*Those who voted in the negative were,*

Messrs. Burnet, Butler, Carnahan of Fountain, Cole, Connor, Cravens, Dougherty of Boone, Edwards, Gessie, Harney, Hillis, Hunter, Keeney, Knowlton, Lane, Miller of Owen, Millikan, Morrison, O'Haver, Orr, Prather, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Shelby, Shepard, Stone, Summers, Thom, Thomas, Tinbrook, Warriner, Weaver, Wells, Weir, Wilson, Whinery, Wright, and Mr. Speaker—43.

So the previous question was not seconded by the House.

Mr. Prather moved to postpone the further consideration of the joint resolution until 6½ o'clock, P. M.

Which motion did not prevail.

Mr. Whinery moved that the House adjourn;

Which motion did not prevail.

Mr. O'Haver moved to amend by adding the following section :

Sec. — That the gratitude of every Indianian is especially due to General Joseph Lane, for his noble defence of the character and fame of the Indiana volunteers at the battle of Buena Vista against the charge of cowardice and disgrace, as held forth in the official report of the Commander-in-Chief on that memorable day.

Mr. Edwards moved to amend the amendment as follows :

Also to General Taylor for his many services on the field of various battles in defence of the honor of his country ;

Which amendment to the amendment was adopted.

The question then recurring on the adoption of the amendment, Was decided in the affirmative.

Mr. Withers called the previous question.

Mr. Wilson moved that the House adjourn ;

Which motion did not prevail.

The question then recurring on seconding the call of the previous question ;

The ayes and noes being demanded by Messrs. Orr and Barker :



*Those who voted in the affirmative were,*

Messrs. Alley, Athon, Barker, Beard, Bird, Brown of Randolph, Brown of Shelby, Byers, Carnahan of Posey, Chandler, Conaway, Cravens, Dodd, Dougherty of Boone, Elder, Ellis, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Harvey, Holcomb, Huey, Humphreys, Landiss, May, Menaugh, Mickle, Niblack, O'Haver, Richardson, Robson, Ross, Salter, Sherrod, Spencer, Thomas, War-riner, Weaver, Wells, Withers, Yocum, and Mr. Speaker—45.

*Those who voted in the negative were,*

Messrs. Bowen, Burnet, Butler, Carnahan of Fountain, Cole, Connor, Edwards, Gessie, Hill, Hillis, Hunter, Keeney, Knowlton, Lane, Miller of Owen, Millikan, Morrison, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Shelby, Shepard, Summers, Thom, Tinbrook, Weir, Wilson, Whinery, and Wright—34.

So the call of the previous question was seconded by the House. The question then being, "shall the main question be now put?" Was decided in the affirmative.

Mr. Wilson moved that the House adjourn ;  
Which motion did not prevail.

The question then recurring on the main question which was, "shall the bill be engrossed ?"

Was decided in the affirmative.

Mr. Wilson moved that the House adjourn ;  
Which motion did not prevail.

Mr. Spencer moved that the rules be suspended and the bill read a third time.

Mr. Wilson moved that there be a call of the House ;  
Which motion did not prevail.

Mr. Orr moved that the House adjourn ;  
Which motion did not prevail.

Mr. Reed moved that the House adjourn ;

The ayes and noes being demanded by Messrs. Carnahan of Fountain and Reed :

*Those who voted in the affirmative were,*

Messrs. Bowen, Butler, Carnahan of Fountain, Cole, Connor, Edwards, Gessie, Hicks, Hillis, Keeney, Knowlton, Miller of Owen, Millikan, Morrison, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Shelby, Stone, Summers, Thom, Tinbrook, Weir, Wilson, Whinery, and Wright—31.

*Those who voted in the negative were,*

Messrs. Alley, Athon, Barker, Beard, Bird, Brown of R., Brown

of S., Byers, Carnahan of Posey, Chandler, Conaway, Cravens, Dodd, Dougherty of Boone, Elder, Ellis, Essex, Farnesly, Gentry, Greathouse, Harney, Hart, Harvey, Holcomb, Huey, Humphreys, Hunter, Landiss, Lane, May, Menaugh, Mickle, Niblack, O'Haver, Richardson, Robson, Ross, Salter, Shepard, Sherrod, Spencer, Thomas, Warriner, Weaver, Wells, Withers, Yocum and Mr. Speaker—47.

So the motion to adjourn did not prevail.

Mr. Orr moved that the House adjourn ;

Which motion did not prevail.

The question then recurring on suspending the rules,

The ayes and noes being demanded by Messrs. Whinery and Weir :

*Those who voted in the affirmative were,*

Messrs. Athon, Barker, Beard, Bird, Brown of Randolph, Brown of Shelby, Byers, Carnahan of Posey, Chandler, Conaway, Cravens, Dodd, Dougherty of Boone, Elder, Ellis, Essex, Farnesley, Gentry, Greathouse, Harney, Hart, Holcomb, Huey, Humphreys, Hunter, Landiss, May, Menaugh, Mickle, Niblack, O'Haver, Richardson, Robson, Ross, Salter, Sherrod, Spencer, Thomas, Warriner, Weaver, Wells, Withers, Yocum, and Mr. Speaker—44.

*Those who voted in the negative were,*

Messrs. Bowen, Burnet, Butler, Carnahan of Fountain, Cole, Connor, Edwards, Gessie, Hill, Hillis, Keeney, Knowlton, Lane, Miller of Owen, Millikan, Morrison, Orr, Prather, Reed, Robinson of Decatur, Robinson of Laporte, Rush, Russell, Shelby, Shepard, Stone, Summers, Thom, Tinbrook, Weir, Wilson, Whinery, and Wright—33.

So the rules were not suspended, there being less than two-thirds voting in the affirmative.

On motion by Mr. Hillis,

The House adjourned to meet at 1½ o'clock, P. M.

1½ o'clock, P. M.

**The House met.**

The House proceeded to the consideration of House bills contained in a message from the Senate, which bills had been reported back from the Senate with sundry amendments.

The question being on concurring in the amendment of the Senate to bill of the House,

No. 255. A bill defining the jurisdiction of justices of the peace in Marion and Boone counties, and amendatory of an act, entitled "An act to define the jurisdiction of justices of the peace in the several counties therein named," approved Jan. 16, 1849;

The question being on concurring in the amendment of the Senate,

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The question being on concurring in the amendment of the Senate to House bill,

No. 472. A bill to compel speculators to pay a tax equal to that paid by actual settlers in the county of Lagrange;

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Chandler,

The order of business was suspended.

Mr. Chandler introduced,

No. 565. A bill to restrict the Board of Trustees of the several townships of the county of Warren from assessing a tax in their townships without the consent of the inhabitants thereof;

Which was read three several times, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Chandler moved to suspend the order of business;

Which motion did not prevail.

The House proceeded to the consideration of Senate bills contained in a message which was taken up on Thursday last.

No. 196. A bill to amend an act, entitled "An act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, into one act, and amend the same," approved Feb. 14, 1848, and also the act amendatory thereto;

Was read a first time and ordered to a second reading.

No. 294. A bill to incorporate the Fort Wayne, Auburn, and Steuben Plank Road Company;

Was read three several times, the rules being suspended therefor, and passed.

*Ordered, That the Clerk inform the Senate thereof.*

No. 332. A bill to amend section 53, of chapter 45, article 2, part 3, of the Revised Statutes of 1843 ;

Was read three several times, the rule being suspended therefor.

The question being on the passage of the bill,

Was decided in the negative.

No. 334. A bill to repeal an act entitled "an act more effectually to prevent the retailing of spirituous liquors in certain counties therein named ;"

Was read three several times, the rule being suspended therefor, and passed.

*Ordered, That the Clerk inform the Senate thereof.*

No. 339. A bill to amend an act entitled "an act to increase and extend the benefits of common schools," approved January 17, 1849 ;

Which was read a first and second times, the rule being suspended therefor.

Mr. Chandler moved to suspend the rule and read the bill a third time ;

Which motion did not prevail.

The bill was then ordered to a third reading.

No. 355. A bill entitled "an act to incorporate the Washington Manufacturing Company ;"

No. 356. A bill to incorporate the Brookville Literary and Scientific Lyceum ;

No. 370. A bill to amend the charter of the White Water Canal Company ;

No. 389. A bill for a plank road from Newcastle, in Henry county, to Dublin, in Wayne county ;

No. 407. A bill to incorporate the Mount Carmel and Owensville Turnpike Company ;

No. 409. A bill to legalize a certain order of the Knox Probate Court ;

No. 410. A bill to vacate the town of Baltimore, in the county of Warren ;

No. 412. A bill for the relief of the estate of William Harris, deceased, late of the county of Martin ;

No. 413. A bill to extend the time for collecting delinquent taxes in Elkhart county ;

No. 414. A bill to repeal an act relating to the jurisdiction of justices of the peace in the several counties therein named, so far as relates to the county of Gibson ;

Were read three several times, the rules being suspended therefor, and passed.

*Ordered, That the Clerk inform the Senate thereof.*

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof :

No. 415. An act to amend an act entitled "an act to incorporate the Franklin and White River Turnpike Company ;

In which the concurrence of the House is respectfully requested.

Which bill contained in the foregoing message was read three several times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have refused to concur in the engrossed amendments of the House to the engrossed amendments of the Senate, to engrossed bill of the House :

No. 146. An act to provide for the election of a prosecuting attorney in the second judicial circuit.

On motion by Mr. Dougherty of Boone,

The bill was laid on the table.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have disagreed to the first engrossed amendment of the House to engrossed bill of the Senate

No. 296. An act to extend the terms of the Probate Court of Monroe county :

And that the Senate have concurred in the second, third, and fourth engrossed amendments of the House to said engrossed bill of the Senate, without amendment.

On motion by Mr. Gentry,

The House receded from its first amendment.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives, that the Senate have passed the following engrossed bills thereof:

No. 344. An act for the relief of Elihu Morris, of the county of Marshall, State of Indiana;

No. 352. An act to provide for the sale of a portion of square No. 25, in the town of Indianapolis, for the purpose of erecting thereon buildings for the use of the Indiana Central Medical College;

No. 360. An act to authorize the sale of the Northern Division of the Central Canal;

No. 384. An act relative to the acknowledgment and recording of deeds heretofore made and recorded;

No. 406. An act respecting sinking fund mortgages;

No. 418. An act authorizing Jeremiah T. Draper to file his bill for a divorce in the Hancock Circuit Court;

No. 419. An act to enable the qualified voters of district No. 8, in township No. 33 north, of range No. 7 east, to levy a tax in said district sufficient to build a school house;

No. 420. An act to vacate certain blocks, streets, and alleys in Michigan City, Laporte county, Indiana;

No. 422. An act to authorize Charity Ann Wise to file a bill for a divorce;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of the Senate bills contained in the foregoing message:

No. 344. A bill for the relief of Elihu Morris, of the county of Marshall, State of Indiana;

Was read a first and second times, the rule being suspended therefor, and ordered to a third reading.

No. 352. A bill to provide for the sale of a portion of square No. 25, in the town of Indianapolis, for the purpose of erecting thereon buildings for the use of the Indiana Central Medical College;

Was read a first and second times, the rule being suspended therefor.

Mr. Ross offered the following amendment:

That the Governor of this State be, and is hereby authorized to appoint three disinterested citizens, who shall take an oath to faithfully appraise said lot of land; and after such appraisal, it shall be the duty of the Governor to give three months notice of the amount of said appraisal, and if within said time any greater amount shall be offered, it shall then be lawful for the Governor to sell said land for the amount to which it is appraised, but if more is offered, it shall only be sold to the highest and best bidder.

Mr. Hunter moved to lay the bill on the table.

Which motion did not prevail.

The question then being on the amendment,



Was decided in the affirmative.

On motion,

The rule was suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 360. A bill to authorize the sale of the Northern Division of the Central Canal;

No. 384. A bill relative to the acknowledgment and recording of deeds heretofore made and recorded;

No. 406. A bill respecting sinking fund mortgages;

No. 418. A bill authorizing Jeremiah T. Draper to file his bill for a divorce in the Hancock Circuit Court;

No. 419. A bill to enable the qualified voters of district No. 8, in township No. 33 north, of range No. 7 east, to levy a tax in said district sufficient to build a school house;

No. 420. A bill to vacate certain blocks, streets, and alleys in Michigan City, Laporte county, Indiana;

No. 422. A bill to authorize Charity Ann Wise to file a bill for a divorce;

Were read three several times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Hicks,

The order of business was suspended.

Mr. Hicks, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The committee on the judiciary to whom was referred bill of the Senate No. 140, entitled "An act to carry out the obvious meaning and intent of the contract entered into between the State of Indiana and her bondholders," have had said bill under consideration, and a majority of said committee have instructed me to report the same back to the House with the following amendment, and when so amended its passage is recommend.

Amendment:

Strike out all of the preamble, and also all of the bill after the enacting clause and insert the following in lieu thereof—

That whenever any citizen of Indiana, or other resident, shall feel aggrieved by reason of the non-compliance by the board of trustees of the Wabash and Erie Canal, with any of the provisions or requirements of the several acts providing for the funded debt of the State of Indiana, and the completion of the Wabash and Erie Canal, approved January 27, 1847, he shall [cause] to be filed in the office of the board of trustees, in writing, a statement of his cause of complaint, and the said board shall, at the next meeting, make

up their decision in writing, and hand the same over to the complaining party, or his duly constituted agent or attorney, who may, if dissatisfied therewith, transmit the same to the Governor of Indiana for his action; and it is hereby made the duty of the Governor, or acting Governor, to cause suit to be instituted in some court having competent jurisdiction, against said board of trustees of the Wabash and Erie Canal, in the name of the State of Indiana, for such alleged breach or non-compliance of contract, if in his opinion such violation has occurred; and it shall be the duty of the Governor to submit every such complaint, with his action thereon, to the next General Assembly.

Sec. 2. That the person or persons at whose instance suits may be instituted, shall secure by bond or other obligation, to the satisfaction of the Governor, the full amount of the costs that may accrue in such suit or suits if he or they shall fail to establish the allegations set forth, or shall otherwise neglect or refuse to prosecute the same to final judgment.

Sec. 3. The Governor is hereby authorized to employ such competent counsel in behalf of the State as he may deem proper: *Provided, however,* That the attorneys' fees shall not exceed fifty dollars in any one case.

Sec. 4. This act to be in force from and after its passage, and all laws coming within the perview of this act are hereby repealed.

Which amendment was concurred in.

The bill as amended was read a third time and passed.

*Ordered,* That the Clerk inform the Senate thereof.

On motion by Mr. Alley,

The order of business was suspended.

Mr. Alley, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred Senate bill No. 347, have had the same under consideration, and have amended the same by adding the following proviso, herewith presented, and after so amended to recommend its passage:

Insert the following at the end of 1st section —

*Provided, however,* That nothing in this act shall be so construed as to affect any indictment now pending in the Hancock circuit court, except the indictments pending in said court against William A. Franklin, an unfortunate man that was shot so as to render him unable to support himself by labor; and as to such indictments as are now against him, this act and the benefits thereof shall be extended.

Which amendment was concurred in.

The bill was read a third time, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Hunter,  
The order of business was suspended.  
Mr. Hunter, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred Senate bill No 405, an act changing the time of holding the Hancock circuit court from the second Mondays in March and August to the fourth Mondays in March and September, have had the same under consideration, and have directed me to report the bill back without amendment, and recommend its passage.

On motion,  
The rule was suspended, the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Robson,  
The order of business was suspended.  
Mr. Robson, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred joint resolution No. 563, have had the same under consideration, and have directed me to report the same back with the following amendment, and when so amended recommend its passage.

No. 563. A joint resolution authorizing the Governor of State to sell certain property ;  
Amend by adding the following :

Sec 3. That twenty-thousand dollars of the proceeds of the sales of property described in section second of this joint resolution be, and the same shall be reserved for the express purpose of erecting a public building, as referred to in the preamble of this joint resolution, and the balance of said sales shall be paid into the State Treasury for the benefit of common schools ;

Which amendment was concurred in.

On motion,  
The rule was suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Hicks,  
The order of business was suspended,  
Mr. Hicks, from a select committee, made the following report :

MR. SPEAKER :

The committee appointed by the House, to act with a similar committee on the part of the Senate, to count and examine the State bonds and interest coupons received and cancelled by James Collins, Agent of State, since his last annual report to the last General Assembly, have given that subject their attention, and herewith report the result of such examination.

Your committee deem it proper to remark that, by the report of the committee of the House, made at the last session of the General Assembly, there was an apparent error in the amount of interest certificates issued by said Agent, on internal improvement interest bond number thirty-five, issued and dated March, 1841, of two hundred and twenty-five dollars, surrendered by Thomas Hudson ; also, in the package surrendered by S. C. Dorti, bond number three thousand eight hundred and seven, of twenty-five dollars, which said errors were not arranged by said Agent with your committee, but your committee deem it justice to said Agent to remark, that they made no examination into the facts connected with said apparent errors, and they believe that said Agent will, at a proper time, explain and rectify the same, to the satisfaction of all concerned.

Your committee have examined the packages of State bonds enumerated below, a detailed statement of which accompanies this report, and they are found to correspond with the report of Mr. Collins, the interest allowed in each case corresponding with the coupons, due and unpaid, to-wit :

|                                                  |           |
|--------------------------------------------------|-----------|
| George R. Listare, - - - - -                     | 16 bonds. |
| Wm. Bears, - - - - -                             | 1 bond.   |
| George R. Listare, - - - - -                     | 3 bonds.  |
| E. W. Clarke, Dodge, &c., - - - - -              | 10 bonds. |
| Dr. Andrew Rud, - - - - -                        | 19 bonds. |
| William B. Deforest, - - - - -                   | 4 bonds.  |
| Alexander Bailis, Esq., - - - - -                | 8 bonds.  |
| Calrick & Knize, Trus. - - - - -                 | 8 bonds.  |
| John Cryder, - - - - -                           | 1 bond.   |
| Thomas P. Huntington, - - - - -                  | 5 bonds.  |
| Henry Tucker Gresham H. London, - - - - -        | 5 bonds.  |
| Robert Johnson, & Co., - - - - -                 | 2 bonds.  |
| George W. Norton, - - - - -                      | 1 bond.   |
| Alexander Bailis, Esq., - - - - -                | 33 bonds. |
| E. W. Clark, Dodge, & Co., - - - - -             | 25 bonds. |
| Rev. Arther Henry Price, of Aranstons, - - - - - | 8 bonds.  |
| George W. Norton, - - - - -                      | 2 bonds.  |
| Edward Preastly, - - - - -                       | 1 bond.   |
| Winslow, Lanier, & Co., - - - - -                | 3 bonds.  |
| Fabor & Burwith, - - - - -                       | 46 bonds. |
| George McClain, - - - - -                        | 4 bonds.  |

|                                               |   |   |   |   |   |           |
|-----------------------------------------------|---|---|---|---|---|-----------|
| Winslow, Lanier, & Co.,                       | - | - | - | - | - | 5 bonds.  |
| George Norton,                                | - | - | - | - | - | 1 bond.   |
| William Alers Hunkey, of Londonnecker,        | - | - | - | - | - | 5 bonds.  |
| Levi Woodbury,                                | - | - | - | - | - | 1 bond.   |
| Isham Henderson,                              | - | - | - | - | - | 10 bonds. |
| Harrison Durkee, & N. M. Rothchild & Son,     | - | - | - | - | - | 15 bonds. |
| William Thomas Blair, of Bothwick Hall, Bath, | - | - | - | - | - | 2 bonds.  |
| Henry Norman,                                 | - | - | - | - | - | 5 bonds.  |
| Nathan R. Hall,                               | - | - | - | - | - | 1 bond.   |
| Alexander Leigrette,                          | - | - | - | - | - | 5 bonds.  |
| The Trustees of Smith Charities,              | - | - | - | - | - | 30 bonds. |
| Murry Forbes, of Falmouth, Va.,               | - | - | - | - | - | 5 bonds.  |
| Bogert & Kneeland,                            | - | - | - | - | - | 22 bonds. |
| Maj. Edward Darvall,                          | - | - | - | - | - | 4 bonds.  |
| Wm. H. Neilson,                               | - | - | - | - | - | 2 bonds.  |
| Westmore & Cryder,                            | - | - | - | - | - | 20 bonds. |
| Charles V. Chamberlain,                       | - | - | - | - | - | 1 bond.   |
| A. G. Allen,                                  | - | - | - | - | - | 2 bonds.  |
| John Vanderhoff, of Regents Park, London,     | - | - | - | - | - | 1 bond.   |
| George Hadden, Sr.,                           | - | - | - | - | - | 4 bonds.  |
| Herman J. Fitze,                              | - | - | - | - | - | 1 bond.   |
| John Rose,                                    | - | - | - | - | - | 2 bonds.  |

The above enumerated bonds, examined by your committee, number three hundred and forty-nine.

All other matters touching, or in any wise appertaining to the business of said agency, so far as the same have come under the inspection of your committee, appear correct.

The foregoing, together with a particular statement of the character of the bonds surrendered, are most respectfully submitted.

On motion by Mr. Athon,

The order of business was suspended.

Mr. Athon, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The standing committee on claims to whom was referred House joint resolution No. 353, have had the same under consideration, and beg leave to report that it is inexpedient to legislate upon the subject and recommend the indefinite postponement of said resolution, and ask to be discharged from the further consideration of the subject.

Which report was concurred in.

On motion by Mr. Alley,

The order of business was suspended.

Mr. Alley, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred Senate bill No. 345, have had the same under consideration and have instructed me to report the same back, amended by striking out the first and second sections, and when so amended, to recommend its passage.

Which amendment was concurred in.

The question recurring,

On ordering the bill to a third reading,

Was decided in the negative.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House, with an amendment :

No. 422. An act to authorize the Governor of Indiana to compromise with, and to cause suit to be brought against the lessees of the water power of the Northern Division of the Central Canal ;

In which amendment the concurrence of the House is respectfully requested.

Which amendment was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Hicks,

Senate bill, No. 339, was taken from the table.

No. 339. A bill to amend an act, entitled "An act to increase and extend the benefits of Common Schools," approved January 17, 1849 ;

On motion,

The rule was suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate insist upon their engrossed amendment to engrossed bill of the House :

No. 71. An act to repeal a proviso to an act therein named ;

On motion by Mr. Murray,

The amendment of the Senate was concurred in.



*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, with sundry amendments :

No. 205. An act to amend an act, entitled "An act to incorporate the Terre Haute and Richmond Railroad Company," approved Jan. 26, 1847 ;

No. 287. An act declaring an act, entitled "An act to increase and extend the benefits of Common Schools," approved Jan. 17, 1849, to be in force in certain counties, and for other purposes ;

In which amendments the concurrence of the House is respectfully requested.

On motion by Mr. Allen,

The House refused to concur in the amendment of the Senate to House bill,

No. 205. A bill to amend an act, entitled "An act to incorporate the Terre Haute and Richmond Railroad Company," approved Jan. 26, 1847.

*Ordered*, That the Clerk inform the Senate thereof.

The question being on concurring in the amendment of the Senate to House bill,

No. 287. A bill declaring an act, entitled "An act to increase and extend the benefits of Common Schools," approved January 17, 1849, to be in force in certain counties, and for other purposes ;

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof :

No. 151. An act to amend the 4th article of the 7th chapter of the Revised Statutes of 1843 ;

No. 350. An act to amend an act, entitled "An act to define the jurisdiction of justices of the peace in the several counties therein named," approved Jan. 16, 1849 ;

No. 369. An act for the relief of the late firm of B. G. Cutter and John H. Cutter ;

No. 401. An act defining the duties and fixing the compensation of the Prosecuting Attorney of Tippecanoe county ;

No. 416. An act to amend an act therein named ;

No. 423. An act to amend the General Plank Road Law ;

No. 426. An act to repeal an act in relation to the Seminary Fund of Tippecanoe county ;

No. 428. An act to regulate the time for civil and chancery business of the Marion and Hancock Circuit Courts ;

No. 429. An act changing the time of holding the May term of the Probate Court of Monroe county, for the year 1850 ;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of Senate bills contained in the foregoing message.

No. 151. A bill to amend the 4th article of the 7th chapter of the Revised Statutes of 1843 ;

Was read a first and second times, the rule being suspended therefor, and,

On motion by Mr. Mickle,

Was laid on the table.

No. 350. A bill to amend an act, entitled " An act to define the jurisdiction of justices of the peace in the several counties therein named," approved Jan. 16, 1849 ;

Was read three several times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 369. A bill for the relief of the late firm of B. G. Cutter and John H. Cutter ;

Was read a first and second times, the rule being suspended therefor, and,

On motion by Mr. Mickle,

Was laid on the table.

On motion by Mr. Niblack,

The order of business was suspended.

Mr. Niblack, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill of the Senate, No. 112, have had the same under consideration and have instructed me to report the same back to the House, with sundry amendments, and when so amended, to recommend its passage.

Amend as follows :

Strike out all the amendments made by this House, and amend by adding to the second section, as follows :

*Provided*, That said prosecuting attorney shall receive no salary out of the State treasury, but in lieu thereof, it shall be the duty of the several circuit courts, included in this act, or the board doing business in said counties, to make such allowance to said prosecuting attorneys, out of the several county treasuries, as may be just and reasonable; *And provided further*, that the provisions of this act shall only extend to the seventh and tenth judicial circuits of this State; *And provided, also, further*, that the counties of Owen and Greene, shall be exempted from the provisions of this act.

Which amendments were concurred in.

On motion by Mr. Niblack,

The rules were suspended, the bill read a third time and passed.

On motion,

The title was amended by adding "so far as it relates to the seventh and tenth judicial circuits."

*Ordered*. That the Clerk inform the Senate thereof.

On motion by Mr. Alley,

The order of business was suspended.

Mr. Alley, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred Senate bill, No. 179, have had the same under consideration and have instructed me to report that as there is another bill before the House, more acceptable to all parties concerned, they would recommend its indefinite postponement.

Which report was concurred in.

The House resumed the consideration of Senate bills contained in a message previously taken up :

No. 401. A bill defining the duties and fixing the compensation of the prosecuting attorney of Tippecanoe county ;

Which was read three several times, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 416. A bill to amend an act therein named ;

No. 423. A bill to amend the general plank road law ;

No. 426. A bill to repeal an act in relation to the seminary fund of Tippecanoe county ;

No. 428. A bill to regulate the time for civil and chancery business of the Marion and Hancock circuit courts ;

Which was read three several times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 429. A bill changing the time of holding the May term of the probate court of Monroe county, for the year 1850 ;

Was read a first and second times, the rule being suspended therefor, and

On motion by Mr. Gentry,

Laid on the table.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof :

No. 248. An act to authorize the sale of the Feeder Dam in Delaware county ;

No. 274. An act to extend the benefits of a certain act therein named ;

No. 333. An act reviving an act, defining the manner of collecting taxes due from the Madison and Indianapolis Railroad Company ;

No. 385. An act to incorporate the town of Greenfield in Hancock county ;

No. 411. An act to incorporate the Fort Wayne and Columbia Plank Road Company ;

No. 427. An act to incorporate the German Theological Seminary of the German Evangelical Luthern Synod of Missouri, Ohio, and other States ;

No. 431. An act to extend an act, entitled "An act to incorporate the town of Peru," approved February 14, 1848, to the town of Vernon ;

No. 432. An act to legalize the location of a State road in Franklin and Ripley counties ;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of bills of the Senate contained in the foregoing message :

No. 248. A bill to authorize the sale of the feeder dam in Delaware county :

Were severally read a first and second times, the rule being suspended therefor ;

Mr. Ellis moved to indefinitely postpone the bill ;

Which motion did not prevail.

On motion,

The rule was suspended, the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 274. A bill to extend the benefits of a certain act therein named ;

Was read a first time and passed to a second reading.

No. 333. A bill reviving an act defining the manner of collecting

taxes due from the Madison and Indianapolis Railroad company ;  
Was read a first and second times, the rules being suspended therefor.

Mr. Hillis moved to refer the bill to a select committee ;  
Which motion prevailed.

No. 385. A bill to incorporate the town of Greenfield, in Hancock county ;

No. 411. A bill to incorporate the Fort Wayne and Columbia Plank Road company ;

No. 427. A bill to incorporate the German Theological Seminary of the German Evangelical Lutheran Synod of Missouri, Ohio, and other States ;

No. 432. A bill to extend an act entitled "an act to incorporate the town of Peru," approved February 14th, 1848, to the town of Vernon ;

No. 431. A bill to legalise the location of a State road in Franklin and Ripley counties ;

Were each read three several times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House with sundry amendments :

No. 270. An act to incorporate the Delphi Northern Plank Road company ;

No. 363. An act to attach a portion of congressional township No. 4, range 9 west, to township No. 3, range 9 west in Gibson county ;

No. 394. An act concerning the easement of the Valley Mills in Allen county ;

No. 413. An act to amend the 11th article of the 12th chapter of the Revised Code of 1843, so far as Putnam county is concerned ;

No. 517. An act to incorporate the Decatur, Portland, and Winchester Plank Road company ;

In which amendments the concurrence of the House is respectfully requested.

The question being in concurring in the amendment of the Senate to House bill

No. 270. A bill to incorporate the Delphi Northern Plank Road company ;

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The question being on concurring in the amendment of the Senate to House bill

No. 363. A bill to attach a portion of congressional township No. 4, range 9 west, to township No. 3, range 9 west, in Gibson county ;

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The question being on concurring in the amendment of the Senate to House bill

No. 413. A bill to amend the 11th article, of the 12th chapter, of the Revised Code of 1843, so far as Putnam county is concerned ;

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The question being on concurring in the amendment of the Senate to House bill

No. 517. A bill to incorporate the Decatur, Portland, and Winchester Plank Road company ;

Was decided in the affirmative ;

*Ordered*, That the Clerk inform the Senate thereof. .

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following resolution :

*Resolved*, That the House of Representatives be requested to return to the Senate bill of the House No. 394, "an act concerning the easement of the Valley Mills in Allen county."

On motion by Mr. Miller,

The bill named in the foregoing resolution was returned to the Senate.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills of the House, with sundry amendments :

No. 143. An act to incorporate the Independent Relief Fire Company, No. 1 ;

No. 332. An act providing for the opening of streets and alleys in the city of Indianapolis ;

In which amendments the concurrence of the House is respectfully requested.



The question being on concurring in the amendment of the Senate to House bill

No. 332. A bill providing for the opening of streets and alleys in the city of Indianapolis;

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The question being on concurring in the amendment of the Senate to House bill

No. 143. A bill to incorporate the Independent Relief Fire company, No. 1;

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following bills and joint resolutions thereof:

No. 417. A joint resolution on the subject of slavery;

No. 433. An act to amend section 13, of an act to increase and extend the benefits of common schools within the counties therein named;

No. 434. An act to prohibit the sale of intoxicating liquors in the town of Plainfield and vicinity, in Hendricks county.

In which the concurrence of the House of Representatives is respectfully requested.

The House proceeded to the consideration of the Senate bills contained in the foregoing message:

No. 417. A joint resolution on the subject of slavery;

Was read a first time and passed to a second reading.

No. 433. A bill to amend section 13 of an act to increase and extend the benefits of common schools within the counties therein named;

No. 434. A bill to prohibit the sale of intoxicating liquors in the town of Plainfield and vicinity, in Hendricks county;

Were each read three several times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Carnahan of Fountain,

The order of business was suspended.

Mr. Carnahan of Fountain, from the committee on the judiciary, made the following report:

MR. SPEAKER :

The committee on the judiciary to whom was referred the resolution instructing said committee to inquire into the constitutionality of the law of the General Assembly of 1849, conferring upon justices of the peace exclusive original jurisdiction in certain criminal cases, have had the same under consideration, and have instructed me to report, that your committee are uncertain what powers and jurisdiction the legislature intended to confer upon justices of the peace by the "act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 16, 1849, and they cannot therefore anticipate the construction which would be given to said act by our Supreme Court.

Several judicial tribunals of the State have decided that by the terms of the act, it was the obvious intention of the legislature to confer upon justices of the peace full, complete, and final jurisdiction in the cases enumerated in said act. The act itself makes provision for the accused to demand that he may be recognized to appear before the Circuit Court, thus affording him the benefit of a trial by indictment, other than that the laws then in force should in all things govern in regard to granting appeals, change of venue continuances, and recognizing, "so far as the same may be applicable," to the exclusive original jurisdiction conferred upon justices. The act is not clear of objections, nor will the duty of officers acting under it be unattended with difficulties in the construction thereof.

Justices of the peace by construing the provisions of the act with itself, and with the act to which it is amendatory, will, we believe, be constrained to overrule any motion of the accused to be permitted to enter into recognizance to appear before the Circuit Court, that the whole might possibly be consistent with the constitution of the State would certainly require a somewhat liberal construction.

The constitution of the State of Indiana requires—section 5.—"That in all civil cases, where the value in controversy shall exceed the sum of twenty dollars, and in criminal cases, except in petit misdemeanors, which shall be punished by fine only, not exceeding three dollars, in such manner as the legislature may prescribe by law, the right of trial by jury shall remain inviolate." Sec. 12.—"That no person arrested or confined in jail, shall be treated with unnecessary rigor, or be put to answer any criminal charge, but by presentment, indictment, or impeachment."

That justices of the peace possess jurisdiction in criminal cases, where the fine may be as high as the sum of twenty dollars, the committee do not doubt, but they regard this extended jurisdiction of justices of the peace exclusively for the benefit of the accused, who may, if he prefer it, have the charges alleged against him deferred without the delay or increase of cost which would necessarily be incurred by having the grand jury and the Circuit Court investi-

gate the charges ; yet we believe the accused cannot by any law of the legislature be deprived of this right, should he see proper to exercise it.

The statutes heretofore expressly provides in conferring such jurisdiction, that "such cases shall be tried by the justice or by jury, as the defendant may elect," and that such defendant may, if he prefer it, "be recognized to appear and answer to the charge before the next circuit court. The defendant, however, cannot, if he prefer to answer such charge by presentment, or indictment, cannot be deprived of the right, except at his own election.

The committee believe that any law which debar the defendant of the optional privilege provided by the statute conferring the privilege of having the charges preferred against him summarily disposed of by the justice trying the same, or demanding to be recognized as he may elect, is an infringement of the spirit of the constitution, and that any law which renders the duty of the justice under the same doubtful or ambiguous, is of questionable policy.

Mr. Niblack moved that the House adjourn.

Which motion did not prevail.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with sundry amendments :

No. 336. An act to amend an act entitled "an act to provide for the election of township assessors in the counties therein named, and defining their duties," approved January 27, 1847 ;

In which amendments the concurrence of the House is respectfully requested.

Which amendments were concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Athon moved to reconsider the vote on Senate bill,

No. 370. A bill to amend the charter of the White Water Canal Company ;

Which motion prevailed.

On motion by Mr. Athon,

The bill was laid on the table.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills of House, with sundry amendments :

No. 387. An act repealing the law authorizing the township trustees of the county of Warren, and State of Indiana, to assess a tax;

No. 457. In act to incorporate the Otter creek and Raccoon Plank Road Company;

No. 480. An act to incorporate the Vincennes and Orleans Rail Road Company;

No. 489. An act to change the name of Andrew Jackson Keeth, to that of Andrew Jackson Wiggins, and for other purposes;

In which amendments the concurrence of the House is respectfully requested.

The question being,

On concurring in the amendments of the Senate, to House bill, No. 457. A bill to incorporate the Oter creek and Raccoon Plank Road Company;

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The question being,

On concurring in the amendments of the Senate, to House bill, No. 387. A bill repealing the law authorizing the township trustees of the county of Warren, and State of Indiana, to assess a tax;

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The question being,

On concurring in the amendments of the Senate, to House bill, No. 480. A bill to incorporate the Vincennes and Orleans Rail Road Company;

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The question being,

On concurring in the amendments of the Senate, to House bill, No. 489. A bill to change the name of Andrew Jackson Keeth, to that of Andrew Jackson Wiggins, and for other purposes;

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Chandler,

The order of business was suspended.

Mr. Chandler offered the following resolution:

*Resolved by the House of Representatives*, That the Treasurer of State is requested to withhold the payments of warrants heretofore issued by the Auditor of State, No. 4166 and No. 4167, which were issued upon an award made against the State, in favor of Patrick

McGinley, until the Governor of State shall direct the payment, or the Legislature, at some future session, shall act upon the same. And it shall be the duty of the Principal Clerk of the House of Representatives to make out a true copy of this resolution, and file the same in the office of the Treasurer of State, together with a list of the ayes and noes thereon.

On motion by Mr. Elder,  
The resolution was laid on the table.  
Mr. Chandler moved to take the resolution from the table ;  
Which motion did not prevail.

On motion by Mr. Harney,  
The rule was suspended.  
Mr. Harney offered the following resolution :

*Resolved*, That when this House adjourns, it adjourns to meet this evening, at half-past six o'clock, P. M.;

Which was adopted.

On motion,  
The House adjourned.

*6½ o'clock, P. M.*

The House met.

On motion by Mr. Miller of M. and F.,  
Bill of the Senate,  
No. 344. A bill for the relief of Elihu Morris, of the county of Marshall, State of Indiana ;  
Was taken up.  
The bill was read a third time.  
The question being,  
"Shall the bill pass?"  
Was decided in the negative.  
Mr. Carnahan of Fountain, from the committee on the judiciary made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred the petition of Edwin Randall, and others, citizens of Noble county, praying the reduction of fees allowed the recorder of said county of Noble, have had the same under consideration, and have instructed me to report that it is inexpedient to legislate thereon.

Which report was concurred in.

On motion,

Leave was granted Mr. Whinery to withdraw the petition on the subject of detaching certain territory from the county of St. Joseph. Also, the temperance memorial of citizens of Mishawaka.

On motion by Mr. Brown of Shelby,

Leave was granted to withdraw from the files the petition of Cyrus Wright, and other citizens of Shelby county.

Also, the petition of Mr. Keeler and others.

Mr. Elder, on leave granted, made the following report from a select committee :

MR. SPEAKER :

The select committee to whom was referred Senate bill 279, have had the same under consideration, and a majority have directed me to report, that in the present shape of the bill they are unable to amend it in accordance with the instructions of the House, to define the points to which said road shall run, and therefore have instructed me to report the same back to the House, and recommend its indefinite postponement.

Which report was concurred in, and the bill indefinitely postponed.

On motion by Mr. Niblack,

The vote on concurring in the foregoing report was reconsidered.

The question then being on the indefinite postponement of the bill,

Was decided in the affirmative.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof:

No. 430. An act to incorporate the Harrison Drawbridge company ;

In which the concurrence of the House is respectfully requested.

The bill contained in the foregoing message, was read three several times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Connor,

Leave was granted to withdraw from the files the petition and papers of J. Long and others.

On motion by Mr. Chandler,

Leave was granted to withdraw from the files the remonstrance of citizens of Warren county in relation to a change in the boundaries of said county.



On motion by Mr. Carnahan of Fountain,

Leave was granted to withdraw from the files the petition of citizens of Fountain county, on the subject of changing the boundary of said county.

On motion by Mr. Carnahan of Posey,

Leave was granted to withdraw the petition of citizens of Posey county, on the subject of a new county.

Mr. Hillis, on leave granted, made the following report from a select committee :

MR. SPEAKER :

The select committee to whom was referred Senate bill No. 333 have had the same under consideration, and have directed me to report back the same with the following amendment, and when so amended to recommend its passage :

Strike out from the enacting clause and insert the following —

That from and after the first day of March, 1859, all taxes assessed for county purposes upon stock in the Madison and Indianapolis Railroad company, shall be assessed in the counties along the line of said Railroad, in which said stockholders reside, in proportion to the amount of stock owned by said stockholders in said counties.

Sec. 2. Said tax levied as aforesaid for county purposes, or any stock owned by non-residents, shall be assessed in the county or counties on the line of said Railroad, where the agent or agents of said stockholder or stockholders shall reside, and if there be no agent, then in the county where the office of said company shall be kept.

On motion by Mr. Robson,

The amendment of the committee was laid on the table.

On motion by Mr. Landiss,

The vote laying the amendment on the table was reconsidered.

The question then being,

Shall the amendment of the committee lay on the table?

Was decided in the negative.

On motion by Mr. Prather,

The bill and pending amendment were laid upon the table.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have refused to concur in the engrossed amendments of the House to the engrossed bills of the Senate,

No. 112. An act to repeal an act entitled, "An act to provide for the electing prosecuting attorneys by the people of the several counties," approved, January 27, 1847 ;

No. 140. An act to carry out the obvious intent and meaning of

the contract entered into between the State of Indiana, and her bondholders.

Mr. Chandler moved that the House insist on its amendment to bill of the Senate No. 112, contained in the foregoing message.

Which motion prevailed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Niblack moved that the House insist on its amendment to bill of the Senate No. 140, contained in the foregoing message.

Which motion prevailed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Wilson,

House bill,

No. 146. A bill to provide for the election of a prosecuting attorney in the second judicial circuit;

Was taken up.

Mr. Wilson moved that the House recede from its amendment to the amendment of the Senate.

Which motion did not prevail.

On motion by Mr. Robson,

The order of business was suspended.

Mr. Robson introduced,

No. 566. A joint resolution relative to granting the use of fire buckets to "O. K." Fire Bucket Company No. 1, of Indianapolis;

Which was read three several times, the rule being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House with sundry amendments :

No. 535. An act making specific appropriations for the year 1850 ;

In which amendments the concurrence of the House of Representatives, is respectfully requested.

On motion,

The House proceeded to the consider the amendments of the Senate to bill of the House, No. 535, contained in the foregoing message separately.

On motion,

The first, second, and third amendments of the Senate, were concurred in.

Mr. Wilson moved that the House refuse to concur in the fourth amendment of the Senate.

Which motion prevailed.

On motion,

The fifth amendment of the Senate was concurred in.

On motion by Mr. Whinery,

The vote concurring in the fifth amendment of the Senate, was reconsidered.

On motion by Mr. Allen,

The fifth amendment was concurred in with the following amendment :

"That George W. Carr, Speaker of the House, be allowed eight dollars, for postage paid on official documents during the present session."

On motion,

The sixth, seventh, and eighth amendments were concurred in by the House.

Mr. Chandler moved to concur in the ninth amendment of the Senate, with the following amendment :

"And one hundred dollars to the citizens of Franklin, for taking care of soldiers at private houses."

On motion by Mr. Hunter,

The amendment proposed by Mr. Chandler was laid on the table.

The question then recurring on concurring in the amendment of the Senate,

Was decided in the negative.

Tenth amendment not concurred in.

On motion,

The eleventh amendment of the Senate was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House with amendments :

No. 565. An act restricting the Board of Trustees of the several townships of Warren county, from levying a tax without the consent of the inhabitants thereof;

In which amendment the concurrence of the House is respectfully requested.

The question being on concurring in the amendment of the Senate to House bill No. 565, contained in the foregoing message,

Was decided in the affirmative.

*Ordered, That the Clerk inform the Senate thereof.*

A message from the Senate, by Mr. Emerson their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate insist upon their disagreement to the engrossed amendment of the House to engrossed amendment of the Senate to engrossed bill of the House :

No. 146. An act to provide for the election of a prosecuting attorney in the second judicial circuit ;

And have appointed Messrs. Read and English a committee of free conference on the part of the Senate, and request that a similar committee may be appointed on the part of the House.

On motion by Dougherty of Boone,

A committee of free conference on the part of the House was appointed.

The Speaker appointed Messrs. Athon and Edwards said committee.

*Ordered, That the Clerk inform the Senate thereof.*

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate insist on their disagreement to the engrossed amendment of the House to the engrossed bill of the Senate :

No. 140. An act to carry out the obvious meaning and intent of the contract entered into between the State of Indiana and her bondholders ;

And have appointed Messrs. Montgomery and Walker a committee of free conference on the part of the Senate, and request that a similar committee may be appointed on the part of the House.

On motion by Mr. Cole,

A committee of free conference was appointed on behalf of the House, consisting of Messrs. Niblack and Edwards.

*Ordered, That the Clerk inform the Senate thereof.*

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate insist upon their disagreement to the engrossed amendments of the House to the engrossed bill of the Senate :

No. 112. An act to repeal an act, entitled "An act to provide for the election of Prosecuting Attorneys by the people of the several counties," approved Jan. 27, 1847 ;

And that the Senate have appointed Messrs. Houghton and Hamrick a committee of free conference on the part of the Senate to consider the disagreement between the two Houses in relation to said amendment, and ask that a similar committee may be appointed on the part of the House.

On motion by Mr. Lane,

A committee of free conference was appointed on behalf of the House, consisting of Messrs. Lane and Carnahan of Fountain.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with an amendment :

No. 529. An act further to amend the charter of the Lafayette and Indianapolis Railroad Company :

In which amendment the concurrence of the House is respectfully requested.

The question being on concurring in the amendment of the Senate to House bill, No. 529, contained in the foregoing message,  
Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with amendments ;

No. 525. An act relative to the President and Directors of the Terre Haute and Richmond Railroad Company, and to secure the more speedy completion of said Road ;

In which amendments the concurrence of the House is respectfully requested.

The question being on concurring in the amendments of the Senate to House bill, No. 525, contained in the foregoing message,

On motion by Mr. Edwards,

The bill and amendments were laid on the table.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with an amendment :

No. 377. An act to amend the 38th section of article 2 of chapter 15 of the Revised Statutes of 1843 ;

In which amendment the concurrence of the House is respectfully requested.

The question being on concurring in the amendment of the Senate to House bill No. 377, contained in the foregoing message,  
Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Dodd,

The resolution which was adopted requiring the House to meet on Monday morning at 5 o'clock, A. M., was reconsidered.

On motion by Mr. Hunter,

The resolution was laid on the table.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendment of the Senate to engrossed bill of the House

No. 535. An act making specific appropriations for 1850 ;  
And insist upon the said 4th, 9th, and 10th amendments to the said bill.

Mr. Wilson moved that the House insist on its disagreement to the fourth amendment of the Senate to bill of the House contained in the foregoing message ;

Which motion did not prevail.

On motion by Mr. Robson,

The House receded from its disagreement to the ninth amendment of the Senate to bill of the House No. 535.

On motion by Mr. Morrison,

The House receded from its disagreement to the tenth amendment of the Senate to bill of the House No. 535.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Lane, from a committee of free conference, made the following report :

MR. SPEAKER :

The committee of free conference, appointed by this House to



confer with a similar one on behalf of the Senate, to take into consideration the disagreement of the two Houses on bill of the Senate No. 112, entitled "An act to repeal an act entitled 'an act to provide for the election of prosecuting attorneys by the people of the several counties,'" approved January 27th, 1847, have had the same under consideration, and have not been able to agree, and ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Carnahan of Fountain moved that a second committee of free conference be appointed ;

Which motion did not prevail.

Mr. Athon, from a committee of free conference, made the following report :

MR. SPEAKER :

The committee of free conference appointed on the part of the House to act with a similar committee from the Senate on House bill No. 146, have had the same under consideration, and have agreed to recommend the passage of the original bill.

Which report was concurred in.

Mr. Edwards, from a committee of free conference, made the following report :

MR. SPEAKER :

The committee of free conference appointed on part of this House to act with a similar committee appointed on part of the Senate, to whom was referred the disagreement of the two Houses on bill of the Senate No. 140, entitled "An act to carry out the obvious meaning and intent of the contract entered into between the State of Indiana and her bondholders," have had the same under consideration, and directed me to report that said committee cannot agree, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with an amendment :

No. 497. An act to prohibit the sale of spirituous liquors in Jackson and Monroe townships, in Madison county, by a less quantity than 30 gallons.

In which amendment the concurrence of the Senate is respectfully requested.

Which amendment of the Senate to House bill No. 497, was concurred in.

*Ordered.* That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House to engrossed bills of the Senate :

No. 347. An act in relation to tavern and grocery license in Hancock county ;

No. 352. An act to provide for the sale of a portion of square No. 25, in the town of Indianapolis, for the purpose of erecting thereon buildings for the use of the Indiana Central Medical College :

Without amendment.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions of the House without amendment :

No. 256. An act for the relief of widows whose husbands die intestate, without any heirs lineally descended from them ;

No. 325. An act to provide for paying the amount due on the new stock belonging to the State in the Madison and Indianapolis Railroad, and for other purposes ;

No. 366. An act to amend an act entitled "an act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved January 19th, 1846, approved January 27th, 1849 ;

No. 382. An act to amend an act entitled "an act to incorporate the town of Greencastle, in the county of Putnam," approved January 16th, 1849 ;

No. 463. A joint resolution relative to the donation of certain lands in the Vincennes land district, for the purpose of sustaining and encouraging common schools ;

No. 470. An act to authorize suits to be brought in the name of the State of Indiana, upon the relation of county auditors in certain cases ;

No. 500. An act to authorize the appointment of a Private Secretary to the Governor ;

No. 512. An act to incorporate the Jonesboro and New Cumberland Plank Road Company ;

No. 518. An act to incorporate the Centreville and Jacksonburg Turnpike Company ;

No. 519. An act to authorize Margaret Hurd to file a bill for a divorce in the Martin Circuit Court, and to regulate the proceedings thereon ;

No. 520. An act authorizing the County Commissioners of Fountain county to vacate a certain street in Rob Roy, Fountain county ;

No. 524. An act to regulate the retailing of spirituous liquors in the county of Kosciusko.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House without amendment :

No. 285. An act to amend "an act to incorporate the Trustees of Indiana Asbury University," approved January 10, 1837 ;

No. 298. An act to increase the pay of the Clerk of the Carroll Circuit Court, for discharging the duties of Auditor of Carroll County ;

No. 302. An act to incorporate the Lagrange male and female Seminary ;

No. 364. An act to incorporate the Fort Wayne and Wolf Lake Turnpike Road Company ;

No. 393. An act to repeal a certain act therein named, as far as the same relates to the county of Randolph.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House without amendment :

No. 326. An act to amend the 16th section of chapter 10, of the Revised Statutes of 1843 ;

No. 328. An act for the relief of Nancy Kitchen ;

No. 329. An act to provide for draining wet lands in the county of Adams ;

No. 334. An act declaring a certain road in Morgan county a state road ;

No. 335. An act providing for the removal of fences from canal lands;

No. 338. An act to legalize the acts of the School Commissioner of Marion county, and abolish the office of school commissioner;

No. 339. An act to locate a state road from Crawfordsville in Montgomery county, to Concord in Tippecanoe county;

No. 340. An act to prohibit the sale of intoxicating drinks in Blue River township, in Johnson county;

No. 342. An act to repeal an act therein named, so far as the county of Fayette is concerned;

No. 343. An act for the relief of William Mackey.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills of the House, without amendment :

No. 310. An act to secure the more prompt payment of road tax;

No. 315. An act to authorize the board of commissioners of Daviess county to compound a certain claim against the surviving security of Joseph Doherty, late of said county, deceased;

No. 316. An act to amend an act entitled "an act to increase and extend the benefit of common schools;"

No. 320. An act for the relief of Hezekiah Hinkston, heir at law of David Hinkston, deceased, late of Marion county;

No. 321. An act declaring a certain stream therein named a public highway, in the county of Shelby;

No. 322. An act to provide for the election of township assessors in the county of Crawford;

No. 323. An act to amend the road laws, so far as Jefferson county is concerned;

No. 473. An act to repeal an act entitled "an act to levee the Wabash river, on Shaker Prairie," approved January 14 1846.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills of the House, without amendment :

No. 522. An act to amend an act entitled "an act to incorporate the Indiana Mutual Fire Insurance Company," approved January 30, 1837;

No. 394. An act concerning the easement of Valley Mills, in Allen county.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the engrossed amendments of the House, to the engrossed bills of the Senate :

No. 212. An act for the relief of certain persons therein named, in Warren county ;

No. 264. An act fixing the salaries of the auditors of the counties of Owen and Greene ;

No. 281. An act to incorporate the Ohio, Princeton, and Peterburgh Plank Road Company ;

No. 287. An act to incorporate the Crawfordsville and Terre Haute Plank Road Company ;

No. 303. An act to amend an act, entitled "An act to authorize the people of the several counties to prohibit the retailing of spirituous liquors," approved January 28, 1847, so far as the same relates to the counties of Monroe and Brown ;

No. 323. An act to amend an act "to compel speculators to pay a road tax equal to that paid by actual settlers, in the county of Noble," approved January 4, 1850 ;

All without amendment.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills and joint resolutions of the House, without amendment :

No. 82. A joint resolution on the subject of admitting slave territory ;

No. 313. An act to authorize the auditor of Grant county to loan money to the trustees of the Grant county seminary ;

No. 317. An act to improve Laughery creek, in the State of Indiana ;

No. 330. An act for the relief of Ann Blythestone, of Allen county ;

No. 344. An act to authorize the sale of school section in township 26 north, range 1 west, in Carroll county ;

No. 345. An act to transfer the dockets of John Hodge and Jefferson S. S. D. Cary, late justices of the peace, in Grant county, Indiana, to the custody of Thomas Wall, a justice of the peace in said county ;

- No. 347. An act relative to the Probate Judge of Randolph county ;
- No. 352. An act for the relief of John Mahany, and others ;
- No. 376. An act to incorporate the Kossuth Bridge Company ;
- No. 466. An act to amend the 336th section, of chapter 47, of the revised statutes of 1843 ;
- No. 475. An act changing the mode of electing United States Senator ;
- No. 502. An act to incorporate the Eagle Creek Plank Road Company, in Marion county ;
- No. 523. An act to incorporate the Spring Creek and Tippecanoe Hydraulic Company, of White county ;
- No. 528. An act to legalize the proceedings of Robert A. Chandler, as master in chancery, in the county of Warren, and for other purposes ;
- No. 536. An act making an appropriation for repairing the State House ;
- No. 537. An act to locate a State road on the line between the counties of Steuben and De Kalb ;
- No. 538. An act for the relief of William J. H. Robinson, of Jackson county ;
- No. 540. A joint resolution authorizing the officers of State to procure a suitable room for the sittings of the convention ;
- No. 441. A joint resolution to extend the privileges of the State Library ;
- No. 543. An act to authorize Presley A. Irwin, of Jennings county, to file a bill in chancery ;
- No. 544. An act to amend an act entitled "an act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 16, 1849, so far as the county of Putnam is concerned ;
- No. 545. An act to incorporate the Eagle Creek Marion County Horse Thief Detecting Company ;
- No. 546. An act relative to the sale of land for taxes, in the county of Johnson, and for other purposes ;
- No. 548. An act for the relief of Sarah M. Emerson ;
- No. 549. A joint resolution on the subject of public lands ;
- No. 552. A bill to repeal a certain section of an act therein named ;
- No. 555. A bill to authorize the School Trustees of Noble township, in Jay county, to make additional districts, &c. ;
- No. 557. A bill supplementary to an act, entitled "An act providing for a more uniform mode of doing township business in the several counties therein named," approved Feb. 17, 1838, so far as the county of Warren is concerned ;
- No. 558. A bill to amend an act entitled "an act to incorporate the Lagro, Marion, and Jonesboro' Plank Road Company," approved January 16th, 1849 ;



No. 560. An act to change the time of holding the probate court of Randolph county ;

No. 561. An act to amend the 8th section of the school law of 1849 in the county of Tippecanoe.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions of the House, without amendment :

No. 327. An act in relation to the sale of spirituous liquors in Ripley township, in the county of Rush ;

No. 348. An act to enable the qualified voters of district No. 4, in township 31 north, of range 6 east, in Kosciusko county, to levy a tax in said district sufficient to build a school house ;

No. 349. An act for the relief of Zadock C. Smith, of Miami county ;

No. 350. An act for the relief of persons who have made improvements on school section, in township 25 north, of range 3 east, in the counties of Cass and Miami ;

No. 354. A joint resolution in relation to the navigation of the Kankakee and Iroquois river in the State of Indiana and Illinois ;

No. 355. A joint resolution on the subject of improving the navigation of the Ohio river ;

No. 356. A joint resolution relative to the Miami Indians ;

No. 357. A joint resolution on the subject of vacant lands in the State of Indiana ;

No. 370. An act to amend an act entitled "an act to provide for opening and repairing public roads and highways in the counties of Owen, Lawrence, and Greene," approved February 1, 1834 ;

No. 418. An act making general appropriations for the year 1850 ;

No. 420. A joint resolution to enable the State of Indiana to draw arms and equipments from the United States ;

No. 429. An act to change the name of the town of Westport, in the county of Park, to that of Howard ;

No. 434. An act for the benefit of certain citizens of the seminary township of Gibson county ;

No. 485. An act relative to the jurisdiction of justices of the peace in certain criminal cases in the county of Tippecanoe.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the report of the committee of free conference, on the part of the Senate, in relation to the engrossed amendments to engrossed bills of this House :

No. 146. An act to provide for the election of a prosecuting attorney in the second judicial circuit;

And have receded from the engrossed amendment to said engrossed bill.

A message from the Senate by Mr. Emerson, their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, without amendment :

No. 405. An act to amend the 10th section, of chapter 21, of the Revised Statutes of 1843.

A message from the Senate by Mr. Emerson, their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed joint resolution of the House, without amendment :

No. 566. A joint resolution relative to granting the use of fire buckets to the "O K' Fire Bucket company, No. 1," of the city of Indianapolis.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House without amendment :

No. 542. An act to incorporate the Rising Sun and Allensville Turnpike company.

A message from the Senate by Mr. Emerson, their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House to engrossed bill of the Senate :

No. 310. An act permanently fixing the location of the Greenfield and Franklin State road within the counties of Hancock and Shelby ;

No. 365. A bill to amend the charter of the Evansville and Illinois Railroad Company ;

Without amendment.

Mr. Millikan, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled, to-wit :

No. 388. An act to repeal certain sections of an act therein named ;

No. 451. An act regulating the license of traveling merchants and pedlars in the several counties therein named ;

No. 496. An act to change the name of Uniontown, in Grant county ;

No. 297. An act legalizing certain acts therein named ;

No. 504. An act to authorize the county auditor of Henry county to sell a certain tract of land belonging to the school fund in said county ;

No. 499. An act to locate a State road on the line dividing Miami and Wabash counties ;

No. 509. An act to incorporate the Evangelical Protestant Congregation of Christians in Hayesville, Dubois county ;

No. 503. An act to locate a State road from Orleans, in Orange county, to Newbury, in Green county.

Whereupon, the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. May, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled, viz :

No. 344. An act to amend an act entitled "an act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 19, 1846," approved January 27, 1847 ;

No. 418. An act making general appropriations for the year 1850 ;

No. 524. An act authorizing the county commissioners of Fountain county to vacate a certain street ;

No. 285. An act to amend an act to incorporate the trustees of Indiana Asbury University, approved January 10, 1837 ;

No. 99. An act fixing the salaries of the auditor and treasurer of Allen county ;

No. 302. An act to incorporate the Lagrange Male and Female Seminary ;

No. 325. An act to provide for paying the amount due on the new stock belonging to the State in the Madison and Indianapolis Railroad, and for other purposes ;

No. 298. An act to increase the pay of the clerk of the Carroll circuit court for discharging the duties of auditor of Carroll county ;

No. 470. An act to authorize suits to be brought in the name of the State of Indiana upon the relation of county auditors in certain cases ;

No. 500. An act to authorize the appointment of a private secretary to the Governor ;

No. 422. An act to authorize the Governor of Indiana to compromise with, and to cause suit to be brought against, the lessees of the water power of the Northern Division of the Central Canal ;

No. 255. An act defining the jurisdiction of justices of the peace in Marion, Boone, and Posey counties, and amendatory of an act entitled "an act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 11, 1849 ;

No. 71. An act to repeal a proviso to an act therein named ;

No. 225. An act defining the duties of the treasurer of Dearborn county, and other counties therein named, and other officers, in relation to the common school fund of said counties ;

No. 393. An act to repeal a certain act therein named as far as the same applies to the county of Randolph ;

No. 256. An act for the relief widows whose husbands die intestate without any heirs lineally descended from them ;

No. 512. An act to incorporate the Jonesboro and New Cumberland Plank Road company.

Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Ross, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled :

No. 62. An act to prevent the forfeiture of school lands in Warren, Franklin, and Dearborn counties.

Whereupon, the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Gessie, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and have found them correctly enrolled :

No. 277. An act to amend an act entitled an act for the government of the Indiana Hospital for the Insane, approved February 15th, 1848 ;

No. 406. An act to increase the pay of the probate judges of the counties of Knox, Kosciusko, and Randolph ;

No. 407. An act to repeal part of an act entitled " an act to fix the time of holding courts in the first judicial circuit, and the probate court of Tippecanoe county," approved January 2d, 1849 ;

No. 403. An act legalizing the election of trustees of the town of Cloverdale, in Putnam county ;

No. 425. An act to raise a revenue for State purposes for 1850 ;

No. 285. An act to repeal an act entitled an act to amend section 101, of chapter 38, of the Revised Statutes of 1843 ;

No. 468. An act authorizing the transfer of the liens of mechanics and others on buildings.

Whereupon, the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Ross, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bills, and find them truly enrolled, to-wit :

No. 133. An act to incorporate the Spring Creek and Tippecanoe Bridge Company ;

No. 464. An act to legalize the acts of George R. Procter as agent of Martin county ;

No. 253. An act to amend an act authorizing the construction of Plank Roads, approved January 13, 1849 ;

No. 147. An act to amend an act entitled " an act granting to the citizens of the town of Aurora, in the county of Dearborn, a city charter," approved February 14, 1848 ;

No. 214. An act to repeal a certain act therein named, so far as relates to the county of Perry ;

No. 460. An act to alter and change a State road therein named ;

No. 462. An act for the relief of Wm. Starner and children ;

No. 478. An act to amend an act, entitled " An act to abolish the office of county auditor, in the county of Johnson," approved January 14, 1846 ;

No. 421. An act to locate a State road from Warsaw to Plymouth ;

Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Whinery, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have examined the following and find them correctly enrolled :

No. 482. An act to amend an act, entitled "An act regulating the granting of license to retail spirituous liquors in the counties of Gibson and Dubois ;"

No. 474. An act to incorporate the Marion county Horse Company ;

No. 251. A joint resolution on the subject of the public lands, in the State of Indiana ;

No. 476. An act authorizing the Vermillion circuit court to hear the application of Susan Coleman, for a divorce and change of name ;

No. 167. An act to incorporate the Tippecanoe Horse Thief Detecting Company ;

No. 484. An act to extend an act, entitled "An act to define the jurisdiction of justices of the peace in the several counties therein named ;"

No. 228. An act relative to the sale of school lands, in certain counties therein named, and to amend article 13, chapter 13, of the revised statutes of 1843 ;

Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Whinery, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have examined the following and find them correctly enrolled :

No. 278. An act to repeal an act therein named ;

No. 239. An act to amend the 224th section of the 30th chapter of the revised statutes of 1843 ;

No. 273. An act relative to the office of auditor, in Warrick county ;

No. 415. An act to provide for the election of trustees of the town of Lafayette, by single district ;

No. 267. A joint resolution on the subject of increasing the common school fund ;

No. 172. An act to amend the charter of the city of Madison ;

No. 64. An act in relation to extra taxes in Lamaseo city ;



No. 389. An act to change the name of George Searle Stephens ;

No. 424. An act to amend an act, entitled "An act to revise and consolidate the several acts of the General Assembly, relative to roads in the county of Gibson ;

No. 479. An act to incorporate the Lamasco Iron Manufacturing Company ;

No. 380. An act to amend the road laws in Jefferson county ;

No. 291. An act to incorporate the Peru and Warsaw Plank Road Company ;

No. 412. An act to amend an act, entitled "An act to confine voters to their respective townships," approved January 13, 1845, so far as the same relates to the county of Martin ;

No. 276. An act to regulate witness fees in the courts of common pleas and the probate courts of the State of Indiana ;

No. 280. An act to compel speculators to pay their due proportion of road tax in the county of Miami ;

No. 417. An act for the relief of David Baker, of Cass county ;

No. 254. An act to locate a State road in the counties of Sullivan, Clay, Owen, and Hendricks ;

No. 414. An act to change the name of Abraham Moore, to that of Cyrus Moore Dunham ;

No. 381. An act to repeal an act to regulate clerk's fees, in the probate court of Parke county, approved January 16, 1849 ;

No. 379. An act to change the mode of doing county business, in the county of Owen ;

No. 467. An act in relation to the prosecuting attorney of Hendricks county ;

Whereupon, the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

A message from his Excellency, the Governor, by Mr. Tarkington, the executive messenger :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills :

No. 296. An act for the distribution of the local laws, statutes, public documents, and reports to the City of Jeffersonville ;

No. 493. An act to attach certain families to a school district therein named, in the county of Knox ;

No. 259. An act to amend section 11, chapter 56, of the Revised Statutes of 1843 ;

No. 283. An act relating to the Probate Court of Parke county ;

No. 495. An act fixing the salary of the Auditor of Miami county ;

No. 494. An act to authorize the construction of a dam across the Tippecanoe river, in Pulaski county ;

No. 292. An act to revive an act to provide for the support of the indigent Blind of the State of Indiana ;

No. 368. An act changing the mode of doing county business in the county of Crawford ;

No. 378. An act to vacate a certain road therein named ;

No. 508. An act to authorize the trustees of the Methodist Episcopal Church in St. Louis, in Bartholomew county, to sell and convey a certain house and lot therein named ;

No. 478. An act to amend an act, entitled "An act to abolish the office of county auditor, in the county of Johnson," approved January 14, 1846 ;

No. 147. An act to amend an act, entitled "An act granting to the citizens of the town of Aurora, in the county of Dearborn, a city charter, approved February 14, 1848 ;

No. 253. An act to amend an act, authorizing the construction of Plank Roads, approved January 13, 1849 ;

No. 214. An act to repeal a certain act therein named, so far as relates to the county of Perry ;

No. 309. An act to incorporate the Indianapolis and Springfield Plank Road Company ;

No. 133. An act to incorporate the Spring Creek and Tippecanoe Bridge Company ;

No. 462. An act for the relief of William Starner and children ;

No. 421. An act to locate a State road from Warsaw to Plymouth ;

No. 460. An act to alter and change a State road therein named ;

No. 484. An act to extend an act, entitled "An act to define the jurisdiction of justices of the peace, in the several counties therein named, approved January 16, 1849, to Wayne county ;

No. 464. An act to legalize the acts of Geo. R. Proctor, as agent of Martin county ;

No. 412. An act to amend an act, entitled "An act to confine voters to their respective townships," approved January 13, 1845, so far as the same relates to the county of Martin ;

No. 482. An act to amend an act, entitled "An act regulating the granting of license to retail spirituous liquors in the counties of Gibson and Dubois, approved February 16, 1848, so far as relates to Gibson county, and to extend to Pike county ;

No. 474. An act to incorporate the Marion county Horse Company, for the detection and apprehension of horse thieves and others charged with crime ;

No. 228. An act relative to the sale of the school lands in article 13 of the Revised Statutes of 1843 ;

No. 167. An act to incorporate the Tippecanoe Horse Thief Detecting Company ;

No. 479. An act to incorporate the Lamasco Iron Manufacturing Company ;

No. 251. A joint resolution on the subject of public lands in the State of Indiana ;

No. 476. An act authorizing the Vermillion Circuit Court to hear the application of Susan Coleman for a divorce and change of name ;

No. 62. An act to prevent the forfeiture of school land in Warren, Franklin, and Dearborn counties ;

No. 273. An act relative to the office of auditor in Warrick county ;

No. 239. An act to amend the 224th section of the 30th chapter of the Revised Statutes of 1843 ;

No. 278. An act to repeal an act therein named ;

No. 267. A joint resolution on the subject of increasing the common school fund ;

No. 172. An act to amend the city charter of the city of Madison, approved February 14th, 1848 ;

No. 187. An act to locate a State road from West Franklin in the county of Posey to Evansville in the county of Vanderburgh ;

No. 64. An act in relation to extra taxes in Lamasco City ;

No. 389. An act to change the name of George Searle Stephens ;

No. 291. An act to incorporate the Peru and Warsaw Plank Road Company ;

No. 424. An act to amend an act entitled "An act to revise and consolidate the several acts of the General Assembly relative to laying out, opening, repairing, changing, and vacating public highways, and the erection and repair of bridges, and to amend the same," approved Jan. 17th, 1849, so far as relates to Gibson county ;

No. 276. An act to regulate witness fees in the courts of common pleas and the probate courts of the State of Indiana ;

No. 417. An act for the relief of David Baker of Cass county ;

No. 254. An act to locate a State road in the counties of Sullivan, Clay, Owen and Hendricks ;

No. 414. An act to change the name of Abraham Moore to that of Cyrus Moore Dunham ;

No. 467. An act in relation to the prosecuting attorney of Hendricks county ;

No. 397. An act to change the mode of doing county business in the county of Owen ;

No. 381. An act to repeal an act entitled "An act to regulate clerk's fees in the Probate Court of Parke county," approved January 16th, 1849 ;

No. 415. An act to provide for the election of trustees of the town of Lafayette by single districts ;

No. 380. An act to amend the road laws in Jefferson county ;

No. 280. An act to compel speculators to pay their due proportion of road tax in the county of Miami ;

No. 277. An act to amend an act entitled "An act for the gov-

ernment of the Indiana Hospital for the Insane," approved February 15th, 1848;

No. 388. An act to repeal certain sections of an act therein named;

No. 407. An act to repeal part of an act entitled "An act to fix the time of holding courts in the 1st Judicial Circuit, and the Probate Court of Tippecanoe county," approved January 2d, 1849;

No. 408. An act to increase the pay of the probate judges of the counties of Knox, Kosciusko, and Randolph;

No. 409. An act legalizing the election of trustees of the town of Cloverdale in Putnam county;

No. 468. An act authorizing the transfer of the liens of mechanics and others on buildings;

No. 297. A bill to legalize certain acts therein named;

No. 499. An act to locate a State road on the line dividing Miami and Wabash counties;

No. 496. An act to change the name of Uniontown in Grant county;

No. 504. An act authorizing the county auditor of Henry county to sell a certain piece of school land;

No. 425. An act to raise a revenue for State purposes for 1850;

No. 503. An act to locate a State road from Orleans in Orange county to Newberry in Greene county;

No. 509. An act to incorporate the Evangelical Protestant Congregation of Christians in Haysville, Dubois county;

No. 451. An act regulating the license of traveling pedlars in the several counties therein named;

All of which originated in the House of Representatives.

On motion,

The House adjourned to meet Monday morning at 8½ o'clock.

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MONDAY MORNING, 8½ O'CLOCK, JANUARY 21, 1850.

The House met, pursuant to adjournment.

On motion by Mr. Edwards,

The reading of the journal was dispensed with.

Mr. Spencer, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 368,

have had the same under consideration, and have directed me to report the same back with the following amendments, and when so amended, to recommend its passage :

Immediately after section 5 of said bill insert the following section :

Sec. 6. That each and every stockholder in the corporation created by this act shall be liable out of his or her individual property for the debts of the said corporation to an amount equal to the interest or amount of stock of said stockholder in said corporation, and the General Assembly hereby retains the right to alter, change, amend, or repeal, this act upon the violation of any of its provisions by said company.

Which amendments were concurred in.

On motion by Mr. Hicks,

The bill was laid on the table.

Mr. Spencer, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred Senate bill No. 288 have considered the same, and have directed me to report the same back with the following amendment, and when so amended to recommend its passage :

Insert after section 1st the following section :

Sec. 2d. That nothing herein contained shall be so construed as in any manner to affect indictments found by the Grand Jury of said county at its last session and now pending and undisposed of in the Circuit Court of said county.

On motion by Mr. Hicks,

The bill and pending amendments were laid on the table.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with one amendment :

No. 333. An act to repeal an act, entitled "An act to incorporate the town of Bloomfield," approved Feb. 2, 1837 ;

In which amendment the concurrence of the House is respectfully requested.

On motion,

The amendment of the Senate to bill of the House, No. 333, contained in the foregoing message, was concurred in.

Ordered, That the Clerk inform the Senate thereof.

On motion,

Leave was granted Mr. Farnesly to withdraw from the files of the House the temperance memorial of citizens of Floyd county.

On motion by Mr. Carnahan of Posey,

Resolved, That the Senate be requested to return to the House Senate bills, Nos. 305, 308, 321, and 338.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have reciprocated the resolution of the House requesting the Senate to return to the House Senate bills,

No. 305. An act to incorporate the Evansville Insurance Company ;

No. 308. An act to incorporate the Mount Vernon Insurance Company ;

No. 321. An act to incorporate the Fireman's and Mechanic's Insurance Company ;

No. 338. An act to incorporate the Logansport Insurance Company ;

Which the Senate have directed me to bring to the House of Representatives, which is now accordingly done.

On motion by Mr. Carnahan of Posey,

The vote on the passage of No. 305, contained in the foregoing message, was reconsidered.

Mr. Carnahan of Posey, offered the following amendment to the bill :

"The Legislature reserves the right to alter, amend, or repeal this charter ;

Which, by unanimous consent, was adopted.

The question being on the passage of the bill,

Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Carnahan of Posey,

The vote on the passage of bill No. 308, contained in the foregoing message, was reconsidered.

Mr. Carnahan of Posey offered the following amendment :

The Legislature reserves the right to alter, amend or repeal this charter.

Which, by unanimous consent, was adopted.

The question then being on the passage of the bill,
Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Hillis,

The vote on the passage of bill No. 321, contained in the foregoing message, was reconsidered.

Mr. Hillis offered the following amendment :

“Amend by striking out all of section 18, after the words “this charter.”

Which, by unanimous consent, was adopted.

The question being on the passage of the bill,
Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Cole,

The vote was reconsidered on the passage of Senate bill No. 338, contained in the foregoing message.

Mr. Cole offered the following amendment :

Strike out all after the word “charter” in the 17th section.

The question being on the passage of the bill,
Was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Ross, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have examined and compared the following enrolled bills and joint resolutions, with the engrossed thereof, and find them correctly enrolled :

No. 335. An act making specific appropriations for the year 1850 ;

No. 317. An act to improve Laughery creek, in the State of Indiana ;

No. 313. An act to authorize the Auditor of Grant county to loan money to the Trustees of the Grant County Seminary ;

No. 376. An act to incorporate the Kossuth Bridge Company ;

No. 330. An act for the relief of Ann Blythestone, of Allen county ;

No. 344. An act to authorize the sale of school section in township 26 north, range 1 west, in Carroll county ;

No. 352. An act for the relief of John Maharry and others ;

No. 347. An act relative to the probate judge of the county of Randolph ;

No. 382. An act to amend an act entitled “An act to incorpor-

ate the town of Greencastle, in the county of Putnam," approved, January 16, 1849;

No. 278. An act to repeal an act therein named;

No. 82. A joint resolution on the subject of admitting slave territory;

No. 345. An act to transfer the dockets of John Hodge and Jefferson S. S. D. Carey, late justices of the peace in Grant county, Indiana, to the custody of Thomas Wall, a justice of the peace in said county;

No. 287. An act declaring an act entitled, "An act to increase and extend the benefits of common schools," approved, January 17, 1849, to be in force in certain counties, and for other purposes;

No. 542. An act to incorporate the Rising Sun and Allensville Turnpike Company;

No. 364. An act to incorporate the Fort Wayne and Wolf Lake Turnpike Company;

No. 463. A joint resolution relative to the donation of certain lands in the Vincennes District, for the purpose of sustaining and encouraging common schools.

No. 519. An act to authorize Margaret Hurd to file a bill for a divorce in the Martin Circuit Court, and to regulate the proceedings thereon.

No. 502. An act to incorporate the Eagle Creek Plank Road Company;

No. 552. An act to repeal a certain section of act therein named;

No. 538. An act for the relief of William J. H. Robinson of Jackson county;

No. 565. An act to restrict the Board of Trustees of the several townships of the county of Warren from assessing a tax in their townships without the consent of the inhabitants thereof;

No. 537. An act to locate a State road on the line between the counties of Steuben and DeKalb;

No. 524. An act to regulate the retailing of spirituous liquors in the county of Kosciusko;

No. 146. An act to provide for the election of a Prosecuting Attorney in the second judicial circuit;

No. 497. An act to prohibit the sale of spirituous liquors in Jackson and Monroe townships, in Madison county, by a less quantity than thirty gallons;

No. 566. A joint resolution relative to granting the use of Fire Buckets to O. K. Fire Bucket Company No. 1, of Indianapolis;

No. 548. An act for the relief of Sarah M. Emerson;

No. 370. An act to amend an act, entitled "An act to provide for opening and repairing public roads and highways in the counties of Owen, Lawrence, and Greene," approved Feb. 1, 1834;

No. 405. An act to amend the tenth section of chapter 21 of the Revised Statutes of 1843;

No. 522. An act to amend an act, entitled "An act to incorporate the Indiana Mutual Fire Insurance Company;"

No. 555. An act to authorize the School Trustees of Noble township, in Jay county, to make additional districts, &c. ;

No. 543. An act to authorize Presley A. Irwin, of the county of Jennings, to file a bill in chancery ;

No. 342. An act to repeal an act therein named, so far as the county of Fayette is concerned ;

No. 518. An act to incorporate the Centreville and Jacksonburgh Turnpike Company ;

No. 394. An act concerning the easement of the Valley Mills in Allen county ;

No. 466. An act to amend the 326th section of chapter 47 of the Revised Code of 1843 ;

No. 377. An act to amend the 38th section of article 2 of chapter 15 of the Revised Statutes, of 1843 ;

No. 529. An act to further amend the charter of the Lafayette and Indianapolis Railroad Company ;

No. 549. A joint resolution on the subject of public lands ;

No. 475. An act changing the mode of electing United States Senators ;

No. 523. An act to incorporate the Spring Creek and Tippecanoe Hydraulic Company of White county ;

No. 322. A bill to provide for the election of township assessors in the county of Crawford ;

No. 320. An act for the relief of Hezekiah Hinkston, heir at law of David Hinkston, deceased, late of Marion county ;

No. 528. An act to legalize the proceedings of Robert A. Chandler as Master in Chancery in the county of Warren, and for other purposes ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Whinery, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following bills and joint resolutions and find them correctly enrolled :

No. 348. An act to enable the qualified voters of district No. 4, in township 31 north, of range 6 east, in Kosciusko county, to levy a tax in said district sufficient to build a school house ;

No. 356. A joint resolution relative to the Miami Indians ;

No. 349. An act for the relief of Zadoek C. Smith, of Miami county ;

No. 485. An act relative to the jurisdiction of justices of the peace in certain criminal cases in the county of Tippecanoe ;

No. 315. An act to authorize the Board of Commissioners of Daviess county to compound a certain claim against the surviving security of Joseph Doherty, late of said county, deceased ;

No. 457. An act to incorporate the Otter Creek and Raccoon Plank Road Company ;

No. 387. An act to authorize township trustees to appoint supervisors in certain cases in Warren county ;

No. 338. An act to legalize the acts of the School Commissioner of Marion county, and abolish the office of School Commissioner ;

No. 540. A joint resolution authorizing the officers of State to procure a suitable room for the sitting of the Convention ;

No. 558. An act to amend an act, entitled "An act to incorporate the Lagro, Marion, and Jonesborough Plank Road Company," approved Jan. 16, 1849 ;

No. 560. An act to change the times of holding the Probate Courts in Randolph county ;

No. 310. An act to secure the more prompt payment of road tax ;

No. 429. An act to change the name of the town of Westport, in the county of Parke, to that of Howard ;

No. 323. An act to amend the Road Law, so far as Jefferson county is concerned ;

No. 326. An act to amend the 16th section of chapter 10 of the Revised Statutes of 1843 ;

No. 545. An act to incorporate the Eagle Creek Marion County Horse Thief Detecting Company ;

No. 328. An act for the relief of Nancy Kitchen ;
Whereupon the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the engrossed amendments of the House, to engrossed bills of the Senate :

No. 308. An act to incorporate the Mount Vernon Insurance Company ;

No. 305. An act to incorporate the Evansville Insurance Company ;

No. 321. An act to incorporate the Firemens and Mechanics Insurance Company ;

No. 338. An act to incorporate the Logansport Insurance Company ;

All without amendment.

On motion by Mr. Hunter,
The House adjourned to meet at 2 o'clock, P. M.

Two o'clock, P. M.

The House met.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed joint resolution of the House :

No. 281. A joint resolution in relation to costs in the District and Circuit Courts of the United States, in suits involving questions of patent rights by patentees, or their assigns who are insolvent ;
Without amendment.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have adopted the following resolution :

Resolved, That a committee of two be appointed on the part of Senate to act with a similar committee on the part of the House, to wait on his Excellency, the Governor, and inform him that both Houses have gone through with their legislative business, and are now ready to adjourn *sine die*, if he has no further communication to make to them, and that the House be informed thereof, and that Messrs. Miller and Porter have been appointed said committee on the part of the Senate.

On motion by Mr. Hunter,

The resolution was reciprocated.

Messrs. Hunter and Whinery were appointed a committee on the part of the House.

Mr. Wright, from the committee on enrolled bills, made the following report :

MR SPEAKER :

The committee on enrolled bills have compared the enrolled bills with the engrossed thereof, and find them correctly enrolled :

No. 517. An act to incorporate the Decatur, Portland, and Winchester Plank Road Company ;

No. —. An act to repeal an act entitled "an act to incorporate the town of Bloomfield," approved February 2, 1837.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Whinery, from the committee on enrolled bills, made the following report:

MR. SPEAKER :

The committee on enrolled bills have compared the following, and find them correct :

No. 316. An act to amend an act entitled "an act to increase and extend the benefits of common schools ;"

No. 307. An act in relation to the sale of spirituous liquors in Ripley township, in the county Rush ;

No. 334. An act declaring a certain road in Morgan county a state road ;

No. 473. An act to repeal an act entitled "an act to levee the Wabash river, on Shaker Prairie," approved January 14th, 1846

No 525. An act in relation to the President and Directors of the Terre Haute and Richmond Rail Road Company, and to secure the more speedy completion of said road ;

No. 340. An act to prohibit the sale of intoxicating drinks in Blue River township, Johnson county ;

No. 329. An act to provide for draining wet land, in the county of Adams ;

No. 336. An act to amend an act entitled "an act to provide for the election of township assessors in the counties therein named, and defining their duties," approved January 27th, 1847 ;

No. 489. An act to change the name of Andrew Jackson Keeth, to that of Andrew Jackson Wiggins ;

No. 420. A joint resolution to enable the State of Indiana to draw arms and equipments from the United States ;

No. 472. An act to compel speculators to pay road tax equal to that paid by actual settlers, in the county of Lagrange ;

No 332. An act providing for the opening of streets and alleys in the city of Indianapolis ;

No. 350. An act for the relief of persons who have made improvements on school section in township 25 north, of range 3 east, in the counties of Cass and Miami ;

No. 413. An act to amend the 11th article, of the 12th chapter, of the revised laws of 1843, so far as Putnam county is concerned ;

No. 557. An act supplementary to an act providing for a more uniform mode of doing township business in the several counties therein named, approved February 17th, 1838, so far as the county of Wayne is concerned ;

- No. 343. An act for the relief of William Mackey ;
- No. 546. An act relative to the sale of land for taxes in the county of Johnson, and for other purposes ;
- No. 480. An act to incorporate the Vincennes and Orleans Rail Road Company ;
- No. 363. An act to attach a portion of township No. 4 north, of range 9 west, to township 3, range 9 west, in Gibson county ,
- No. 321. An act declaring a certain stream therein named a public highway, in the county of Shelby ;
- No. 544. An act to amend an act entitled "an act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 16, 1849, so far as the county of Putnam is concerned ;
- No. 536. An act making an appropriation for repairing the State House ;
- No. 561. An act to amend the 8th section of the school law of 1849, in the county of Tippecanoe ;
- No. 357. A joint resolution in relation to vacating lands in the State of Indiana ;
- No. 350. An act to amend an act entitled "an act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 16th, 1849 ;
- No. 143. An act to incorporate the Independent Relief Fire Company, No. 1 ;
- No. 354. A joint resolution in relation to the navigation of the Kankakee and Iroquis Rivers, in the States of Indiana and Illinois ;
- No. 355. A joint resolution on the subject of improving the navigation of the Ohio River ;
- No. 434. An act for the benefit of certain citizens of the Seminary towship, of Gibson county ;
- No. 413. An act to extend the time for collecting delinquent taxes in Elkhart county ;
- No. 335. An act providing for the removal of fences from canal lands ;
- No. 416. An act to amend an act therein named ;
- No. 339. An act to locate a state road from Crawfordsville in Montgomery county, to Concord in Tippecanoe county.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Whinery, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill and joint resolution with the engrossed bill and joint resolution of the House, and find the same correctly enrolled :

No. 270. An act to incorporate the Delphi Plank Road Company ;

No. 281. A joint resolution in relation to costs in the District and Circuit Courts of the United States in suits involving questions of patent rights by patentees and their assignees who are insolvent.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Butler, chairman of the select committee on temperance returned to the files of the House, certain petitions on that subject, which had been referred to said committee since the making of the report of the committee on the subject of temperance.

A message from his Excellency, the Governor, by Mr. Tarkington, the Executive Messenger :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills :

No. 313. An act to authorize the auditor of Grant county to loan money to the trustees of the county seminary ;

No. 317. An act to improve Laughery creek, in the State of Indiana ;

No. 330. An act for the relief of Ann Blythestone, of Allen county ;

No. 347. An act relative to the probate judge of Randolph county ;

No. 376. An act to incorporate the Kossuth Bridge Company ;

No. 352. An act for the relief of John Maharry and others ;

No. 502. An act to incorporate the Eagle Creek Plank Road Company ;

No. 82. A joint resolution on the subject of admitting slave territory ;

No. 344. An act to authorize the sale of school section in township 26 north, range 1 west, in Carroll county ;

No. 287. An act declaring an act entitled "an act to increase and extend the benefits of common schools," approved January 17, 1849, to be in force in certain counties, and for other purposes ;

No. 542. An act to incorporate the Rising Sun and Allensville Turnpike Company ;

No. 345. An act to transfer the dockets of John Hodge and Jefferson S. S. D. Carey, late justices of the peace in Grant county, Indiana, to the custody of Thomas Wall, a justice of the peace in said county ;

No. 382. An act to amend an act entitled "an act to incorporate the town of Greencastle, in the county of Putnam," approved January 16, 1849 ;

No. 523. An act to incorporate the Spring Creek and Tippecanoe Hydraulic Company of White county ;

No. 524. An act to regulate the retailing of spirituous liquors in the county of Kosciusko ;

No. 519. An act to authorize Margaret Hurd to file a bill for a divorce in the Martin Circuit Court, and to regulate the proceedidgs thereon ;

No. 394. An act concerning the easement of the Valley Mills in Allen county :

No. 463. A joint resolution relative to the donation of certain lands in the Vincennes district, for the purpose of sustaining and encouraging common schools ;

No. 364. An act to incorporate the Fort Wayne and Wolf Lake Turnpike Road Company ;

No. 497. An act to prohibit the sale of spirituous liquors in Jackson and Monroe townships, in Madison county, by a less quantity than thirty gallons ;

No. 146. An act to provide for the election of a prosecuting attorney in the second judicial circuit ;

No. 565. An act to restrict the Board of Trustees of Washington township, in Warren county, from levying a tax without the consent of the inhabitants thereof ;

No. 566. A joint resolution relative to granting the use of fire buckets to O. K. Fire Bucket Company, No. 1, of Indianapolis ;

No. 475. An act changing the mode of electing United States Senators ;

No. 528. An act to legalize the proceedings of Robert A. Chandler, a master in chancery, in the county of Warren, and for other purposes ;

No. 526. An act making an appropriation for repairing the State House ;

No. 537. An act to locate a state road on the line between the counties of Steuben and Dekalb ;

No. 538. An act for the relief of William J. H. Robinson, of Jackson county ;

No. 540. A joint resolution authorizing the officers of State to procure a suitable room for the sitting of the convention ;

No. 541. A joint resolution to extend the privileges of the State Library ;

No. 543. An act to authorize Presley A. Irwin, of Jennings county, to file a bill in chancery ;

No. 544. An act to amend an act entitled "an act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 16, 1849, so far as the county of Putnam is concerned ;

No. 545. An act to incorporate the Eagle Creek, Marion county, horse thief detecting company ;

No. 546. An act relative to the sale of land for taxes in the county of Johnson, and for other purposes ;

- No. 548. An act for the relief of Sarah M. Emmerson ;
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- No. 555. A bill to authorize the school trustees of Noble township, in Jay county, to make additional districts, &c. ;
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- No. 328. An act for the relief of Nancy Kitchen ;
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- No. 338. An act to legalize the acts of the school commissioner of Marion county, and abolish the office of school commissioner ;
- No. 529. An act to further amend the charter of the Lafayette and Indianapolis Railroad Company ;
- No. 310. An act to secure the more prompt payment of road tax ;
- No. 339. An act to locate a State road from Crawfordsville, in Montgomery county, to Concord, in Tippecanoe county ;
- No. 517. An act (bill) to incorporate the Decatur, Portland, and Winchester Plank Road Company ;
- No. 270. An act to incorporate the Delphi Northern Plank Road Company ;
- No. 255. An act defining the jurisdiction of justices of the peace in Marion, Boone, and Perry counties, and amendatory an act &c. ;
- No. 520. An act to authorize the county commissioners of Fountain county, to vacate a certain street in Rob Roy, Fountain county ;
- No. 293. An act to increase the pay of the clerk of the Carroll circuit court, for discharging the duties of auditor of Carroll county ;
- No. 500. An act to authorize the appointment of a private secretary to the Governor ;
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- No. 325. An act to provide for paying the amount due on the new stock belonging to the State, in the Madison and Indianapolis Railroad, and for other purposes ;

No. 302. An act to incorporate the Lagrange male and female Seminary ;

No. 99. An act fixing the salaries of the auditor and treasurer of Allen county, Indiana ;

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No. 418. An act making general appropriations for the year 1850 ;

No. 512. An act to incorporate the Jonesborough and New Cumberland Plank Road Company ;

No. 71. An act to repeal a proviso to an act therein named ;

No. 256. An act for the relief of Widows, whose husbands die intestate, without any heirs lineally descended from them ;

No. 422. An act to authorize the Governor of Indiana, to compromise with and to cause suit to be brought against the lessees of the water power of the Northern Division of the Central Canal ;

No. 393. An act to repeal a certain act therein named, as far as the same applies to the county of Randolph ;

No. 225. An act defining the duties of the treasurer of Dearborn county, and other counties therein named, and other officers, in relation to the common school funds of said counties ;

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No. 82. A joint resolution on the subject of admitting slave territory ;

No. 146. An act to provide for the election of prosecuting attorney in the second judicial circuit ;

No. 342. An act to repeal an act therein named, so far as the county of Fayette is concerned ;

No. 518. An act to incorporate the Centreville and Jacksonburgh Turnpike Company ;

No. 328. An act for the relief of Nancy Kitchen ;

No. 326. An act to amend the 16th section of chapter 10, of the revised statutes of 1843 ;

No. 323. An act to amend the road law, so far as Jefferson county is concerned ;

No. 429. An act to change the name of the town of Westport, in the county of Parke, to that of Howard ;

No. 156. An act to distribute a surplus road tax, in Jefferson county ;

No. 316. An act to amend an act, entitled "An act to increase and extend the benefits of common schools ;

No. 416. An act to amend an act therein named ;

No. 335. An act providing for the removal of fences from Canal lands ;

No. 434. An act for the benefit of certain citizens of the semi-nary township of Gibson county ;

No. 333. A bill to repeal an act entitled "an act to incorporate the town of Bloomfield," approved February 2, 1837 ;

No. 535. An act making specific appropriations for 1850 ;

No. 315. An act to authorize the board of county commissioners of Daviess county, to compound a certain claim against surviving security of Joseph Doherty, late of said county, deceased ;

No. 321. An act declaring a certain stream therein named, a public highway, in the county of Shelby ;

No. 350. An act to amend an act, entitled "An act to define the jurisdiction of justices of the peace in the several counties therein named," approved Jan. 16, 1849 ;

No. 143. A bill to incorporate the Independent Relief Fire company, No. 1 ;

No. 354. A joint resolution in relation to the navigation of the Kankakee and Iroquois rivers, in the States of Indiana and Illinois ;

No. 355. A joint resolution concerning the improvement of the navigation of the Ohio River ;

No. 327. An act in relation to the sale of spirituous liquors in Ripley township, in the county of Rush ;

No. 480. An act to incorporate the Vincennes and Orleans Rail Road Company ;

No. 340. An act to prohibit the sale of intoxicating drinks in Blue River township, Johnson county ;

No. 525. An act in relation to the president and directors of the Terre Haute and Richmond Railroad company, and to secure the more speedy completion of said road ;

No. 281. A joint resolution in relation to costs in the District and Circuits Courts of the United States in suits involving questions of patent rights by patentees and their assigns, who are insolvent ;
All of which originated in the House of Representatives.

Mr. Hunter, from the joint committee to wait on his Excellency the Governor, made following report :

MR. SPEAKER :

The joint committee appointed to wait on his Excellency the Governor, and inform him that both Houses of the General Assembly have gone through with their legislative business and are ready to adjourn *sine die*, if he had no further communication to make to them, have performed that duty, and are directed by his Excellency to inform the General Assembly that he has no further communications to make to them, and that ne wishes to the members thereof health and happiness.

On motion by Mr. Hunter,

Resolved, That the Senate be informed that the House of Representatives have gone through with their Legislative business of the present session, and are ready to adjourn, *sine die*.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution :

Resolved, That the House of Representatives be informed that the Senate have gone through with their Legislative business, and are now ready to adjourn *sine die*.

On motion by Mr. Cole,
A call of the House was ordered :

The following members were present :

Messrs. Alley, Butler, Carnahan of Posey, Chandler, Cole, Dougherty of Boone, Edwards, Elder, Farnesly, Gentry, Gessie, Hicks, Hillis, Holcomb, Humphreys, Hunter, Niblack, Robson, Rush, Salter, Shelby, Sherrod, Warriner, Wells, Whinery, Wright and Mr. Speaker—27.

The following members were absent :

Messrs. Allen, Athon, Barker, Beard, Bird, Bowen, Brown of Randolph, Brown of Shelby, Burnet, Byers, Caldwell, Campbell, Carnahan of Fountain, Cleaver, Conaway, Connor, Cotton, Cravens, Defrees, Delavan, Dodd, Dougherty of Elkhart, Ellis, Essex, Goodwin, Graves, Greathouse, Harney, Hart, Harvey, Hill, Huey, Johnson, Keeney, Knowlton, Landiss, Lane, Lank, Leviston, May, Menough, Mickle, Miller of Marshall and Fulton, Miller of Owen, Millikan, Morrison, Murray, O'Haver, O'Neal, Orr, Patterson, Prather, Reed, Richardson, Robinson of Decatur, Robinson of Laporte, Ross, Russell, Shepard, Spencer, Stewart, Stone, Stoops, Summers, Thom, Thomas, Tinbrook, Watkins, Weaver, Weir, Wilson, Withers, and Yocum—73.

Mr. Hunter moved that the House adjourn *sine die* ;

Whereupon the Speaker rose and addressed the House as follows :

Gentlemen of the House of Representatives :

You are now about to close a very laborious session of seven weeks, and to submit the result of our deliberations to an intelligent and high-minded people.

Of the 565 bills and joint resolutions introduced during the present session of this House, I presume the most important act passed at the present session to the whole people, is the making the necessary provision for carrying into effect the will of a majority of the qualified voters of the State, deliberately expressed through the medium

of the ballot-box on the first Monday in August last, proposing the call of a Convention, during the present year, to revise and amend the Constitution of Indiana; which, we trust, will not only be a new epoch in her history, but the result of which will be the more fully to secure the ends for which all republican governments are established, increase all the elements of prosperity of this great and growing State, and assist in perpetuating this happy form of government, with its free institution, to the latest period of time.

I now embrace this opportunity to tender to you my sincere thanks for the very courteous and kind treatment I have received at your hands during the whole of the present session, and, also, for that aid you have so generously extended to me on all occasions.

I have not the vanity to suppose that I have committed no errors in the discharge of the duties of the Chair, but I trust that you will regard them as errors of judgment only. The compliment you have been pleased to present to me by unanimously adopting a resolution referring to the discharge of my official duty will be gratefully remembered to the latest period of my after life.

It affords me great pleasure to bear witness to the general good feelings, and high-minded and honorable bearing that has characterized your intercourse with each other during the present session.

Towards each individual member and officer of this House I entertain the kindest personal feelings.

I wish each of you now present, and those who have left in advance of this, a safe and speedy journey from the Capitol to your homes, and bid each of you a kind farewell.

I now declare this House adjourned *sine die*.

JOHN M. LORD,
Principal Clerk H. of Representatives.
ANDREW J. BOONE,
Assistant Clerk H. of Representatives.

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On the motion of Mr. Huey, to lay on the table the amendment of Mr. Orr to Senate bill No. 126, -	-	-	-	-	688
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On the motion of Mr. Prather, to lay on the table House bill No. 2, -	-	-	-	-	699
On the engrossment of House bill No. 2, -	-	-	-	-	700
On the motion of Mr. Prather, to lay on the table House bill No. 500, -	-	-	-	-	704-5
On the motion of Mr. Orr to indefinitely postpone Senate bill No. 126, -	-	-	-	-	711
On ordering Senate bill No. 126, to a third reading, -	-	-	-	-	711-12
On the motion of Mr. Brown of Shelby, to lay on the table House bill No. 7, and the amendments, -	-	-	-	-	724-5
On the motion of Mr. Hunter, to lay on the table the amendment of Mr. Hillis to Senate bill No. 393, -	-	-	-	-	731
On the motion of Mr. Hillis to recede from the first amendment of the House to Senate bill No. 4, -	-	-	-	-	736
On the motion of Mr. Russell, to take from the table House bill No. 426, [erroneously printed 427] and make it the special order for the day for the next day, -	-	-	-	-	737
On the motion of Mr. Wier, to lay on the table House bill No. 272, and the pending amendment, -	-	-	-	-	739-40
On the motion of Mr. Athon, to reject joint resolution of the House No. 515, "a joint resolution relative to the boundary of Texas," -	-	-	-	-	755
On the motion of Mr. Caldwell, to lay on the table the amend-	-	-	-	-	

ment of Mr. Whinery to joint resolution of the House No. 516, - - - - -	755-6
On the motion of Mr. Wilson, to lay on the table the amendment of Mr. Patterson to House bill No. 426, and the amendment of Mr. Mickle to the amendment, - - -	761
On the amendment of Mr. Wilson to House bill No. 426, -	762
On the motion of Mr. Wilson, to indefinitely postpone House bill No. 426, - - - - -	762-3
On the passage of House bill No. 2, - - -	764-5
On the motion of Mr. Cleaver to indefinitely postpone joint resolution of the House No. 82, - - - - -	765
On the passage of joint resolution of the House No. 82, -	766
On concurring in the report of the committee of free conference on the disagreement of the two Houses on Senate bill No. 4, - - - - -	767
On ordering to a third reading Senate bill No. 250, - -	778
On concurring in the report of the committee on corporations on House bill No. 514, - - - - -	779
On the motion of Mr. Graves to indefinitely postpone House bill No. 391, and the pending amendments, - -	785
On the passage of House bill No. 311, - - -	793-4
On the motion of Mr. Carnahan of Posey to lay on the table the amendment of Mr. Reed to joint resolution of the House No. 490, - - - - -	800
On the passage of Senate bill No. 126, - - -	802
On the passage of Senate bill No. 250, - - -	822
On the motion of Mr. Niblack to refer Senate bill No. 140 to the committee on the judiciary, - - -	822-3
On the motion of Mr. Prather to indefinitely postpone Senate bill No. 337, - - - - -	832
On the passage of Senate bill No. 337, - - -	832
On the motion of Mr. Butler to indefinitely postpone House bill No. 559, - - - - -	852-3
On the motion of Mr. Elder to lay on the table the amendment of Mr. Wilson to joint resolution of the House No. 490, - - - - -	857
On seconding the previous question on joint resolution of the House No. 490, - - - - -	858
On seconding the previous question on joint resolution of the House No. 490, - - - - -	859
On the motion of Mr. Reed to adjourn, - - -	859-60
On suspending the rules, - - - - -	860

BANK DIRECTOR.

Parmenter W. Parks elected, - - - - -	91
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BARKER, HENRY W.,

Appeared and was qualified, -	-	-	-	-	4
Petitions presented by, -	-	-	-	-	100,398
Resolution offered by, -	-	-	-	-	51
Bill introduced by, -	-	-	-	-	738
Motions made by, -	-	-	-	-	644,738

BAYLESS, JOHN S.,

Elected one of the Commissioners for the Hospital for the					
Insane, -	-	-	-	-	555

BEARD, ISAAC N.,

Appeared and was qualified, -	-	-	-	-	5
Petitions presented by, -	-	-	-	102,366,396,702	
Leave of absence granted to, -	-	-	-	-	301

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES.

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Pro- ceedings.</i>	<i>Approved.</i>
1	A bill to provide for holding a convention of the people to revise and amend the constitution of this State,	30	[475 54, 446, 458, 474,				
2	A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations,	33	{ 54, 112, 165, 169, 172, 189-90-1-2 -3, 223, 469 to 472, 652, 698 to 670, 759, 764-5 54	54	214	215	318
3	A bill to compel non-resident land owners to pay a road tax equal to that paid by resident land proprietors,	33					
4	A bill to authorize the Board of Commissioners of Howard county to borrow money,	33	54	54	139		318
5	A bill to authorize the County Commissioners of Clark county to establish an additional place of holding elections in Wood township of said county,	33	54				
6	A bill relating to appeals and writs of error from probate courts,	33	54	84	215	215	318
7	A bill exempting homesteads from execution,	33	54, 145, 146	307	575		733
8	A joint resolution on the subject of the reduction of postage,	33	{ 55, 370 to 373, 376, 390, 391, 432-3-4, 502 to 507, 669-70-71, 724-5 55, 84, 106-7, 149 55, 186				
9	A joint resolution relative to the extension of slavery,	33					

10	A bill to repeal the law rendering negroes and mulattoes incompetent to testify in courts of justice, when the State or white persons may be parties, -	34	55, 113, 443-4-5			318	933
11	A bill to provide for the calling of a Convention to revise, amend, or change the Constitution of the State of Indiana, -	34	55				
12	A bill to repeal certain acts relative to negroes and mulattoes, -	34	55, 332-3				
13	A bill in relation to witnesses' fees, -	34	{ 55, 146, 147, 148, 174-5-6-7, 308, 328-9	329			
14	A bill to incorporate the Terre Haute and Evansville Railroad Company, -	36	{ 56, 127-8-9, 130, 250, 429				
15	A bill to provide for the distribution of the General Laws of 1848-9, to the county of Randolph, -	36	56, 146				
16	A bill to define the jurisdiction of justices of the peace in the county of Vermillion, -	36	56	84	193		
17	A bill to repeal an act therein named, -	37	56	85			
18	A bill to extend the term of the circuit court of Marion county, authorized to be begun and held on the last Monday in October, in the year 1849, -	38	56	56	80	138	
19	A bill fixing the time of holding courts in the second judicial circuit, -	38	183	183	284	318	
20	A bill for the better improvement of highways in Boone county, -	38			348	733	
21	A bill to amend the road law passed at the last session of the Legislature, -	39	56, 198				
22	A bill for the preservation of the Northport Feeder Dam, -	39	56, 85, 136	249			
23	A bill to provide for the election of township assessors in the county of Greene, -	42	57, 703				

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other pro- ceedings.</i>	<i>Approved.</i>
24	A bill to incorporate the American Live Stock Insurance Company, - - - - -	42	57, 124	125	416		449
25	A joint resolution in relation to the slave trade in the District of Columbia, - - - - -	52	[308-9-10-11 85, 164, 181-2,	309			
26	A joint resolution on the subject of slavery in California, - - - - -	52	85				
27	A joint resolution in favor of annexing Canada to the United States, - - - - -	53	86, 186				
28	A bill to revive an act to compel speculators to pay a road tax in Randolph county equal to that paid by actual settlers," approved January 13, 1845, - - -	53	86	113	319		449
29	A bill to extend the time of holding probate court in Hendricks county, - - - - -	53	86	113	285		318
30	A bill to amend an act entitled "an act to incorporate the Harrison, New Trenton, and Brookville Turnpike Company," approved January 13th, 1849, - - - - -	53	86			499	733
31	A bill regulating the holding of circuit courts in certain counties in the third judicial circuit, - - -	53		60	88		138

32	A bill to provide for ascertaining the value of personal property exempt from execution, - - -	53	86, 196	315	467	733
33	A bill to repeal an act entitled "an act to amend the statute providing for the taking of a change of venue in criminal cases, - - -"	53	86, 331-2	332		
34	A bill to incorporate the White county Monticello Bridge Company, - - -	53	86, 124	124	645	645
35	A bill repealing an act defining the jurisdiction of justices of the peace, so far as relates to Montgomery county, - - -	53	86	113	285	318
36	A bill to authorize the draining of the Peru Prairie, in Miami county, - - -	53	86, 94	113	285	318
37	A bill to amend an act to revise and consolidate the several acts of the General Assembly relative to the laying out, opening, repairing, changing, and vacating public highways, and erection and repairs of bridges, and to amend the same, - - -	53	86, 87, 199			
38	A bill for the relief of the securities of John R. Harris, - - -	53	87, 195, 211			
39	A bill for the relief of James P. and Reuben Tyler, - - -	54	87, 94	113	114	
40	A bill to repeal all laws of this State authorizing counties to subscribe for any corporation stock, so far as relates to the county of Morgan, and declaring the meaning of certain acts therein named, - - -	59	87	113	285	318
41	A bill to change the time of holding the October term of the probate court of Martin county, - - -	59	87	113	285	318
42	A bill to increase the fees of witnesses by adding mileage, - - -	59	87, 121			
43	A bill to provide for the election of township assessors in the county of Steuben, - - -	60	87, 463	500	749	834

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other proceedings.</i>	<i>Approved.</i>
44	A bill to change the name of Reastine Cox, -	60		60	139		318
45	A bill to amend the 43d section of the revised road law of 1849, - - - - -	61	87, 149,	333	701		773
46	A joint resolution on the subject of the National Monument at Washington, - - - - -	82		92			
47	A joint resolution on the subject of a railroad from some point on the Mississippi to the Pacific, - - -	82	114, 429, 814, 839				
48	A joint resolution in relation to the right of way for railroads through the State of Illinois, - - -	82	114, 115				
49	A bill in relation to the jurisdiction of notaries public, -	82	118	333	575		772
50	A bill to reduce the fees of the clerks of probate courts, -	82	115, 147, 148	333			
51	A bill to restrict the grand jury in Franklin county to a limited time in their sessions, - - - - -	82	115, 151	333	575		773
52	A bill requiring the grand jury of Hancock county to meet on the third day of each term of the Circuit Court of said county, - - - - -	83	115				
53	A bill to change the name of Eliza Jane Bristo, -	83	115	136	285		318
54	A bill to amend an act entitled "an act requiring the supervisors of roads in Sullivan county to make a			136			

55	report at the Wabash term in each year, and for other purposes," approved Jan. 26th, 1847, -	83	115	137	285	448
56	A bill to provide for the payment of jury fees in civil cases in the Allen Circuit Court, -	83	115, 116, 137, 234	333		
57	A bill to change the name of Mary Jane Manning and Margaret Ann Manning, -	83		116	285	318
58	A bill to amend an act entitled "an act to regulate the mode of doing county business in Putnam county," approved Jan. 15th, 1849, -	83		116	285	318
59	A bill for the relief of tax payers, -	83	116, 243			
60	A bill authorizing an additional number of the Revised Statutes of 1843 to be distributed to the county of Miami, -	83	116, 438, 465, 611	612	655	734
61	A bill to authorize the voters of Daviess county to vote in Washington township in said county, -	83	116	137	616	735
62	A bill repealing an act therein named, -	83		116	351	449
63	A bill to prevent the forfeiture of school lands, -	83	116, 175, 176, 188, [201, 333	671	810	903
64	A bill in relation to Lamasco City in the county of Vanderburgh, -	84	116	137	285	772
65	A bill in relation to extra taxes in Lamasco City in the county of Vanderburgh, -	84	116	137	536	903
66	A joint resolution authorizing the reports from the State Bank and the Commissioners of the Sinking Fund to be made the second week of the session, -	89	116	137	285	318
67	A joint resolution relative to the soldiers of the late war with Great Britain, -	97	116, 210, 211	333	576	772
68	A joint resolution in reference to the reduction of the price of lands in the Miami National Reservation, -	97		117	285	318
69	A bill to authorize the Governor, Auditor, and Treas-					

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>
70	urer of State to borrow money sufficient to pay the interest on the funded debt, on the first of January and July, 1850, - - - - -	97	117				
71	A bill to extend the time of paying taxes for the year 1849, in the county of Randolph, - - -	97	117	137	348	349,751,870	918
72	A bill to repeal the proviso of an act therein named, A bill to prohibit the stretching of seins across Laugh- ery creek in the State of Indiana, - - -	97	117, 125	125	351	351	449
73	A bill to amend an act entitled "an act to incorporate the Lafayette Insurance Company," approved Feb- ruary 8th, 1836, - - - - -	97	117	123	144	219, 300, 303, 311, 312, 463, 665, 686, 746	
74	A bill to repeal an act "concerning free negroes, mu- lattoes, servants, and slaves," approved February 10th, 1831, - - - - -	97	117, 118				
75	A bill to amend an act entitled "an act to authorize supervisors to work a certain road in Ohio county, A bill to legalize a certain act therein named, - -	97		118	285		818
76	A bill amending an act establishing a turnpike road in Adams county, - - - - -	97	118, 150, 333, 334	118			
77		106		138	351	351	449

78	A bill to legalize the settlement of the Auditor and Treasurer of Kosciusko county, for the financial year ending June, 1849, and for other purposes, -	106	138	319	449
79	A joint resolution on the subject of abolishing the lash in the United States Navy, -	108	223	334	576
80	A joint resolution relating to the bounty land and three months extra pay to deceased non-commissioned officers and privates engaged in the war against Mexico, -	108	223	334	576
81	A joint resolution in relation to the reduction of mileage and <i>per diem</i> allowance of members of Congress, -	108	223, 266		772
82	A joint resolution against the passage of laws authorizing slavery or involuntary servitude, except for crimes, in the organization of the territory recently acquired from Mexico, -	109	(224,225,226,27, 228,229,230,334, 418,674,765-6	766	893
83	A joint resolution in relation to a mail route from Stilesville to Gosport, in the State of Indiana, -	109	231	334	576
84	A joint resolution in relation to slavery in the District of Columbia, -	109	232		773
85	A joint resolution in relation to the officers and soldiers of the war of 1812, -	109	232, 428	466	656
86	A joint resolution in relation to the admission of States into the Union, -	109	232		734
87	A joint resolution on the subject of constructive mileage of members of Congress, -	109	232, 233		
88	A joint resolution on the subject of a railroad from St. Louis to San Francisco, -	109	233, 406, 407, 408	408	
89	A bill incorporating the Grand Royal Arch Chapter of the State of Indiana, -	111	233, 251	334	744
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BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before Passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>
90	A bill to amend an act entitled "an act to re-charter the Hanover College," - - - - -	112	233	334	576		773
91	A bill to incorporate Danville and Rockville Plank Road Company, - - - - -	112	233				
92	A bill for the relief of the borrowers of the school and other funds, from county officers, - - - - -	112	233, 334				
93	A bill more effectually to protect the property of married women, - - - - -	112	233, 327-8				
94	A bill to reduce the fees and emoluments of the Auditor and Treasurer of Steuben county, - - - - -	112	253	334	616		734
95	A bill relative to delinquent taxes, - - - - -	112	233, 265-6				
96	A bill to amend the charter of the Logansport and Rochester Michigan Road Company, - - - - -	112	233, 251-2	334	508	508-9	733
97	A bill providing for the taxation of all lands that may have been entered since the 26th of January, 1847, or that may hereafter be sold, - - - - -	112	233, 234, 460, 612				
98	A bill to enable the owners of mill property the better to protect and improve the same, - - - - -	112	234, 334				

99	A bill fixing the salaries of the auditor and treasurer of Allen county, - - -	112	234, 273-4	334	856	918
100	A bill more effectually to prevent the withdrawal from this State and its investment in other States, of the active capital of the citizens of Indiana, by further regulating the interest on money, - - -	112	234, 671-2			
101	A bill to change the time of holding the board of equalization in the county of Warren, - - -	123	234	335	576	773
102	A bill to appropriate part of the school funds in the county of Warren, - - -	123	234	335	576	773
103	A bill regulating the license of traveling merchants and peddlars, - - -	126	234-5, 402, 403, [411, 460			
104	A bill to locate a State road in the counties of Howard and Miami, - - -	126	235	235	319	449
105	A bill to vacate the alleys of the town of Cumberland, - - -	126	235	235	319	449
106	A bill for the better improvement of roads in the county of Grant, - - -	126	235	335	562	563
107	A bill for the relief of Henry Brest and Titus G. Brest, - - -	130	235	235	319	449
108	A bill for the relief of William Sloan and Richard Sloan, - - -	130		257	319	449
109	A joint resolution on internal improvements, - - -	134	257, 393, 423, 460-1			
110	A joint resolution on the subject of the completion of the Michigan City Harbor, - - -	134	257-8	335		
111	A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana, - - -	134	258	335	452	733
112	A joint resolution on the subject of colonizing the free negroes, - - -	134	258			
113	A bill to amend an act entitled an act to incorporate					

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES — *Continued.*

942

<i>Number.</i>	<i>TITLE.</i>	<i>Intorduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other proceedings.</i>	<i>Approved.</i>
114	the Liberty and Brownsville Turnpike Company, approved Feb. 12, 1848, - - - -	134		335	508	535	733
115	A bill to incorporate the Jasper County Plank Road Company: - - - -	134	258, 299	335	576		772
116	A bill to establish an additional place of holding elec- tions in the township of Monroe in the county of Pike, - - - -	134	258				
117	A bill fixing the salaries of the trustees of the Wabash and Erie Canal, - - - -	134	443				
118	A bill to amend the eleventh section of the act enti- tled "an act to reduce the salaries of the Governor of the State, and other officers," approved January 14th, 1843, - - - -	135	258-9				
119	A bill in relation to public roads and highways in Bartholomew county, - - - -	135		259	319		449
120	A bill to authorize the auditor to audit and the county treasurers to pay the three per cent. fund to the counties entitled to receive the same, - - - -	135	259, 661				
	A bill to amend an act to revise and consolidate the						

121	several acts of the General Assembly relative to laying out, opening, repairing, changing, and vacating highways, and the erection and repairing of bridges, and to amend the same, -	135	259-60, 335			734
122	A bill to provide for the election of prosecuting attorney in the tenth judicial circuit, -	135		336	616	
123	A bill for the relief of William Northern, -	135	260, 335			
124	A bill amending sections 48, 49, and 50, of chapter 29, of the Revised Statutes of 1843, -	135	260, 327	418		
125	A bill to appraise the personal property in the county of Warren and State of Indiana, -	135	260, 428			
126	A bill to extend the privileges of the State Library, -	135	260, 270, 335	336		
127	A bill to amend an act for the benefit of common schools, -	136	179			
128	A bill for the benefit of the Clark County Central Plank Road Company, -	136		260	319	449
129	A bill to limit actions on official bonds, -	145	260			
130	A bill to increase the fees of jurors before probate courts, -	147	261, 292	336	744	833
131	A bill to revise and amend an act entitled "an act to authorize the election of a school commissioner in township 9, range 1 west, in Franklin county, -	150		150	285	449
132	A bill to authorize William McDowell to erect a mill dam across the Wabash river, -	152		261	319	449
133	A bill to repeal the 61st section of an act therein named, -	173	261	336		
134	A bill to incorporate the Spring Creek and Tippecanoe Bridge Company, -	183	261, 299	336	726	902
134	A bill to authorize the citizens of Adams county to				727	

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

944

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings thereon.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>
135	vote for or against the re-location of the county seat of said county, - - - - -	183	261	336	576		772
136	A bill regulating the pay of the probate judge of Vanderburgh county, - - - - -	184	261-2, 359	359	576		773
137	A joint resolution in relation to publishing an act therein named, - - - - -	185	262	336	576		773
138	A joint resolution on the subject of the United States surrendering state bonds, - - - - -	186	262	336			
139	A joint resolution in relation to the White Water Valley Canal, - - - - -	186	262				
140	A joint resolution on the subject of the African Slave Trade, - - - - -	186	262, 428, 598 to [602, 681				
141	A joint resolution in relation to the cession by the State of Maryland to the District of Columbia, - - - - -	186	279				
142	A joint resolution in reference to establishing diplomatic relations with the Republic of Liberia, - - - - -	186	279				
	A bill granting the right of way through the county of Vermillion to the Danville and Georgetown Plank Road Company, - - - - -	186	211	211	320		449

143	A bill to incorporate the Independent Relief Fire Co.,	186	279	298	876	877	918
144	A bill to amend an act entitled "an act to incorporate the Buffalo and Mississippi Railroad Company," approved February 6, 1835, and the several acts amendatory thereto, - - -	186	187	278			
145	A bill in relation to advertising forfeited lands mortgaged to the Sinking Fund, - - -	186	279, 477-8	672		[896 [886, 889, [863, 884, 727, 732,	915
146	A bill to provide for the election of a prosecuting attorney in the 2d judicial circuit, - - -	187	413	461	726		
147	A bill to amend an act entitled "an act to grant the citizens of the town of Aurora, in the county of Dearborn, a city charter," approved Feb. 14, 1848, - -	187	279, 299	336	726	727	902
148	A bill to extend the provisions of an act therein named to the counties of Huntington and Whitley,	187		279	425		449
149	A bill to change the mode of paying the inspectors, judges, and clerks of elections, - - -	187	279, 429				
150	A bill to exempt Olive Branch Church in Jefferson county, from paying a state and county tax on five acres of ground, - - -	187	289	336	576		773
151	A bill regulating clerk's fees of Probate Courts in the State of Indiana, - - -	187	280-1, 383	851			
152	A bill in relation to probate records, - - -	187	281, 369-70				
153	A bill to amend section 141, of chapter 35, of the Revised Statutes of 1843, relating to the duties of overseers of the poor, - - -	187		[358 188, 244, 336,	418	744	833
154	A bill to amend an act entitled, "An act authorizing the construction of plank roads," - - -	188	281, 384-5	418	576		773
155	A bill to amend an act providing for the selection of grand and petit jurors, - - -	188	281, 373-4	418			

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

946

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other proceedings.</i>	<i>Approved.</i>
156	A bill amending an act therein named, - -	188		281	330		449
157	A bill amending section 109, of chapter 12, of the Re- vised Statutes of 1843, - - -	188	281, 341,	418			
158	A bill to provide for the trial of criminal cases in Ma- rion county, - - -	188		281	314		449
159	A bill to locate a State road in the counties of Miami and Wabash, - - -	188	282	337	576		774
160	A bill to amend an act entitled, "An act to revise and consolidate the several acts of the General Assem- bly, relative to laying out, opening, repairing, chang- ing and vacating public highways, and to the erec- tion and repair of bridges, and to amend the same," approved, Jan. 16, 1849, - - -	188	282, 374-5,				
161	A bill to reduce the number of township trustees, in the county of Grant, - - -	188		282	320		449
162	A bill providing for publishing notice and place of sale of delinquent lands in county of Steuben, -	195	282	337			
163	A bill providing for the sale of the school section in Congressional township No. 26 north, of range three						

164	west, lying in the counties of White and Carroll, - - - - -	196	282	337	576	774
165	A joint resolution in relation to establishing a Bureau of Agriculture in the Home Department, - - -	199	282	337		
166	A bill to provide for the regulation of Turnpike Companies, - - - - -	199				
167	A bill to regulate the mode of electing and summoning petit jurors in the county of Martin, - -	200	283	337	744	902
168	A bill to incorporate the Tippecanoe Horse Thief Detecting Company, - - - - -	200				
169	A bill to incorporate the Evangelical Lutheran St. John Church in Dearborn county, - - - - -	201	282	337	576	773
170	A joint resolution relative to donating public lands to actual settlers, - - - - -	201	282	338	576	774
171	A bill to establish a Sinking Fund, to pay the State debt, - - - - -	202	282, 516,			
172	A bill to provide for a more uniform mode of doing township business in Clay county, - - - - -	202		282	502	773
173	A bill to amend the city charter of the city of Madison, approved, the 14th of Feb. 1848, - - -	202	282-3,	338	810	903
174	A bill to amend the 9th section of the act to increase and extend the benefits of common schools, - -	202	283	338		
175	A bill to authorize the commissioners of Carroll county to employ a physician for the poor, - - -	202	283	338	576	774
176	A bill to incorporate the Pittsburgh Library and Temperance Institute, - - - - -	202	283			
	A bill to divorce Catharine Reece of the county of Knox, in this State, from her husband, ——— Reece, and to change the name of the said Catharine Reece,	202	283-4,			

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

948

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other pro- ceedings.</i>	<i>Approved.</i>
177	A bill to authorize the voters of Washington county to vote at any precinct in said county, - -	202	284, 563-4				833
178	A bill to incorporate the Goodwin Female Institute of Lafayette, - - - - -	202	251	338	744		
179	A bill to amend an act entitled "an act to revise and consolidate the several acts relative to public highways," approved Jan. 16, 1849, - - -	211	[461-2, 464-5 284, 338, 415,				
180	A bill to amend an act entitled "an act to increase and extend the benefits of common schools," -	213	358, 414, 464				
181	A bill to repeal in part an act entitled "an act to increase and extend the benefits of common schools," approved Jan. 17, 1849, - - -	213	359, 405, 464, 501				
182	An act to amend article 1, chapter 12, of the Revised Statutes of 1843, - - - - -	213	359, 399, 400, 462	462			
183	A bill to regulate grand and petit jurors' fees in the county of Adams, - - - - -	213	359-60	418	562	563	774
184	A bill to amend the charter of the city of Evansville, -	213	360	418	576		774
185	A bill to change the time of holding the April term of the commissioners' court of Jefferson county, -	213	360	418	576		773

186	A bill to change the name of Emanuel Pidcock, -	213		360	467	733
187	A bill to amend the 14th section of the revised road law of 1849, - - - -	213	360	418		
188	A bill in relation to the change of names, - - -	213	360	418	726	633
189	A bill relative to the law confining voters in their townships, &c., - - -	213	360-1			
190	A bill for the relief of Catharine Schnell and Dorothy Debler, (wife of Louis Debler,) of Vanderburg county, - - - -	213		361	576	772
191	A bill relating to the Sullivan county library, - -	214	362	418	576	773
192	A bill to confirm the Angola Plank Road Company, -	214	361, 385	418	576	733
193	A bill to regulate the per diem of work on the public highways in Adams county, - - -	214	361	418	744	833
194	A bill to authorize Joseph A. Williams and John Morgan to erect and maintain a mill dam across the Wabash river, at or near Bluffton, Wells county, -	214	361	361	576	774
195	A bill to amend the 56th chapter of the Revised Statutes of 1843, - - - -	214	361			
196	A bill making an appropriation to the Independent Relief Fire Engine and Hose company, No. 1, - -	245	361, 415, 464			
197	A bill relative to agricultural societies, - - -	250	361-2-3, 390, 428			
198	A bill to extend the time of holding county courts in Perry county, - - - -	253	391	419	576	772
199	A bill for the relief of Lewis Chappell, - - -	254		392	577	773
200	A bill to authorize Isaac Wilson to construct a bridge or culvert over a state road in the county of Morgan, therein described, - - - -	254	392			
201	A bill to repeal the 4th and 5th sections of an act to improve the road in Centre township, - - -	254	392	419	577	773
				419		

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued,

950

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other proceedings.</i>	<i>Approved.</i>
202	A bill for the relief of Cain Dockry, -	254		392	577		773
203	A joint resolution to refund interest, -	254	392, 441				
204	A joint resolution on the subject of slavery, -	255	392-3				
205	A bill to amend an act entitled an act to incorporate the Terre Haute and Richmond Railroad Company, approved January 26, 1847, -	255	272, 338, 356	357	871		
206	A bill defining the duties of county treasurers in the several counties therein named, -	255	393	393	745		833
207	A bill for the relief of Hannah S. Martin, -	256		394	577		772
208	A bill to repeal an act therein named concerning Sheriffs, so far as the same relates to the county of Martin, -	256					
209	A bill relative to the Seminary in Sullivan county, -	256	394	394	745		833
210	A bill to incorporate the Terre Haute Insurance Company, -	256	297, 338		577		774
211	A bill relative to the board of commissioners of Franklin county, -	256		338	726	727	
212	A bill to provide for recording inventories and sale bills in decedents' estates, -	256	394	419	577		773
		266	394, 419				

213	A bill to legalize the acts of commissioners appointed to locate a road in the counties of Fountain and Tippecanoe, - - - - -	268	394	419	577	727	734
214	A bill to repeal a certain act therein named, - - - - -	270		419	726		502
215	A bill to compel non-residents to pay a tax equal to that paid by residents in the county of Whitley, - - - - -	271		338	577		735
216	A bill for the relief of America Butler of the county of Martin, - - - - -	271	394				
217	A bill to explain sections 8, 14, and 130 of an act therein named, - - - - -	272	394-5	419			
218	A bill to locate a State road between the counties of Vigo and Clay, - - - - -	272	395	395	745		834
219	A bill concerning the duties of the county treasurer of the county of Kosciusko, - - - - -	273		395	745		833
220	A joint resolution in relation to the barbarous, cruel, and inhuman conduct of the Austrian Government, - - - - -	276	395	419			
221	A joint resolution to colonize free negroes, - - - - -	276	464				
222	A bill to amend an act entitled "an act to incorporate a company to construct a Railroad from Evansville, on the Ohio River, to connect with the Ohio and Mississippi Railroad at or near Olney, in the State of Illinois, via Princeton, Gibson county, Indiana, to Mt. Carmel, Illinois," approved January 2, 1849, - - - - -	276	294-5-6	296			
223	A bill to vacate an alley in Greencastle, - - - - -	276		338	577		773
224	A bill to provide for an appeal from the several boards of county commissioners in this State, in certain cases therein named, - - - - -	276	464, 514-15	672			

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

952

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before Passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>
225	A bill defining the duties of the treasurer of Dearborn county, and other officers in relation to the Common School Fund, in said county, - - -	276	465	501	856	857	918
226	A bill to amend an act, entitled "An act to increase and extend the benefits of Common Schools," approved Jan. 17, 1849, - - -	276	465				
227	A bill in relation to the auditor of Warrick county, - - -	276	465	501	745		833
228	A bill to provide for the sale of school lands in the counties of Blackford, Jay, Adams, and Wells, - -	277		465	749		902
229	A bill to incorporate the Indianapolis and Cincinnati Railroad Company, - - -	277	[483 to 487, 771 387-8, 447, 450,				
230	A bill to incorporate the West Point Literary Agricultural College in Tippecanoe county, - - -	277	298	299	745		834
231	A bill to regulate the manner of doing business in the Jasper probate court, - - -	277		338	745		834
232	A bill to change the act defining the mode of publishing the delinquent tax list, - - -	277	304				
233	A bill for locating a State road in Lake and Porter counties, - - -	277	465	501	745		834

234	A bill relative to the Union Plank Road in the county of Laporte, - - -	277	338	577	774
235	A bill to amend section 25 in chapter 53, article 1st of the Revised Statutes of 1843, - - -	277	462		
236	A bill to amend the 22d section of the 47th chapter of the Revised Statutes of 1843, - - -	278	501		
237	A bill to authorize the filing of transcripts of judgments of justices of the peace, and issuing executions thereon, - - -	278	465		
238	A bill to amend a certain act therein named, - - -	278	465, 547-8		
239	A bill to amend the 224th section of the 20th chapter of the Revised Statutes of 1843, - - -	278	339	577	733
240	A bill declaring the meaning of sections 39, 40, 41, 42, 43, and 44, chapter 29, of the Revised Statutes of 1843, - - -	278	674	810	903
241	A bill to authorize suits against the Trustees of the Wabash and Erie Canal in certain cases, - - -	278	465, 515		
242	A joint resolution to adjourn from Saturday evening to Thursday morning, - - -	289	466		
243	A bill in relation to grand jurors, - - -	292	466, 611		
244	A joint resolution relative to compiling and publishing road laws, - - -	293			
245	A bill to amend an act, entitled "An act to incorporate the town of Franklin, Johnson county, Indiana," passed February 15, 1838, - - -	301	612, 613	613	656
246	A bill to amend an act, entitled "An act to incorporate the Bedford Insurance Company," approved February 8, 1836, - - -	302	302		773
247	A bill to legalize the acts of the several clerks of the				

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before Passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>
248	Martin circuit court, heretofore done in relation to the duties of the office of county auditor of the county of Martin, and for other purposes therein named,	302		302	303		447
249	A bill in relation to the White Water Valley Canal Company, - - - -	302	423, 414	414	516	Veto, 603-4-5	
250	A bill to authorize James Taylor to erect a mill-dam across the Salamonias river, in Huntington county,	304		339	577		733
251	A bill to change the name of Mary Bell Neil to Mary Bell Noble, - - - -	305		613	656		734
252	A joint resolution on the subject of the public lands in the State of Indiana, - - - -	305	613	672	749		903
253	A bill regulating the practice in chancery respecting the practice and duties of receivers, &c., - - -	305	332	400	575		733
254	A bill to amend an act authorizing the construction of plank roads, approved January 13, 1849, - - -	305	401	462	808		902
255	A bill to locate a State road in the counties of Sullivan, Clay, Owen, and Hendricks, - - -	306	613	673	810		903
	A bill defining the jurisdiction of justices of the peace in Marion county, and amendatory of an act en-						

256	titled "an act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 16, 1849, - - -	306	613, 614	614	856	861	917
257	A bill for the relief of widows whose husbands die intestate, - - -	306	614	673	890		918
258	A bill to incorporate Harrison and Boardman Turnpike Road Company, - - -	306	342	419	745		833
259	A bill to incorporate the Western Plank Road Company, - - -	306	375	375	616		735
260	A bill to amend section 11, chapter 56, of the Revised Statutes of 1843, - - -	306		614	808		901
261	A bill to provide for the registration of marriages, births, and deaths, - - -	306	614-15				
262	A bill to vacate a certain alley in the town of West Harrisonville, and in the town of Mt. Pleasant, in the county of Martin, - - -	306	615	615	656		734
263	A bill to amend the laws subjecting real and personal property to execution, - - -	306	615				
264	A bill to amend an act relative to common schools, A bill to authorize Jacob C. Hursh, of De Kalb county, to erect a mill dam across the Little St. Joseph river, in the county of Allen, Indiana, - - -	306	738				
265	A bill to provide for the electing of supervisors by districts, in the counties of Boone, Delaware, Whiteley, Huntington, and Parke, - - -	307		307	563		772
266	A bill to incorporate the "Alamo Sons of Reform," of the State of Indiana, - - -	329		329	577		735
267	A joint resolution on the subject of increasing the common school fund, - - -	330	738	561	656		734
				767	810		903

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other proceedings.</i>	<i>Approved.</i>
268	A bill to encourage the construction of rail and plank roads, - - - - -	331	440, 441 -	462			
269	A bill declaratory of the meaning of the 129th section of the act to revise and consolidate the several acts of the General Assembly in relation to laying out, opening, repairing, changing, and vacating, public highways, and the erection and repair of bridges, and to amend the same, approved Jan. 16, 1849, - - -	331	738	738	808		834
270	A bill to incorporate the Delphi Northern Plank Road Company, - - - - -	331	738	739	875	875	917
271	A bill to amend an act therein named, - - - - -	331					
272	A bill providing for an equivalent in money in lieu of stationery, as now furnished members of the General Assembly, - - - - -	331	739, 740, 776	739			
273	A bill relative to the office of auditor in Warrick county, - - - - -	331		740	810		903
274	A bill defining the duties of county commissioners, -	331	740, 769				
275	A bill to provide for the incorporation and regulation of telegraphic companies, - - - - -	336	740, 780	780			

276	A bill to regulate witness' fees in the courts of common pleas and the probate courts of the State of Indiana,	337	740	810	903
277	A bill to amend an act entitled "an act for the government of the Indiana Hospital for the Insane," approved Feb. 15th, 1848,	337	740	810	903
278	A bill to repeal an act therein named,	337	758	810	903
279	A bill to amend an act entitled "an act to increase and extend the benefits of common schools," approved January 17, 1849,	342	741, 758		
280	A bill to compel speculators to pay their due proportion of road tax in the county of Miami,	343	741	810	903
281	A joint resolution in relation to costs in the District and Circuit courts of the United States, in suits involving questions of patent rights by patentees and their assigns who are insolvent,	344			919
282	A joint resolution providing for the purchase of land for the Deaf and Dumb Asylum,	344	383	911	734
283	A bill relating to the probate court of Parke county,	344	741	908	901
284	A bill to incorporate the Rising Sun and Versailles Turpike Road,	344	385	726	833
285	A bill to amend "an act to incorporate the trustees of the Indiana Asbury University," approved January 10th, 1837,	344		727	
286	A bill to enable the inhabitants of the counties of Huntington and Whitley to construct plank roads,	344	405, 406	891	918
287	A bill declaring an act entitled "an act to increase and extend the benefits of common schools," approved Jan. 17, 1849, to be in force in certain counties, and for other purposes,	344		656	735
			513	871	914
			673	871	

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other proceedings.</i>	<i>Approved.</i>
288	A bill for the relief of Nehemiah Cheesman, of Wayne county, - - -	344		420	577		734
289	A bill for the more speedy completion of the Indiana Hospital for the Insane, - - -	345	383-4	420	535		733
290	A bill to incorporate the Noblesville Bridge Company, - - -	345	405	462	656		772
291	A bill to incorporate the Peru and Warsaw Plank Road Company, - - -	345	741-2, 751	752	810		903
292	A bill to revive an act to provide for the support of the indigent blind in the State of Indiana, - - -	345	742	768	810		902
293	A bill to extend the powers of the Shelbyville Lateral Branch Railroad Company, and the Rushville and Shelbyville Railroad Company, and for other purposes, - - -	358	406				
294	A bill to vacate the town of Augusta, in the county of Noble, - - -	370	742				
295	A bill to authorize the sale of certain lots therein named, - - -	376		742	808		834
296	A bill for the distribution of the local laws, statutes,						

297	and public documents, and reports, to the city of Jeffersonville, - - - - -	376	863	901
298	A bill to legalize certain acts therein named, - - - - -	376	808	904
299	A bill to increase the pay of the clerk of Carroll county, - - - - -	377	891	917
300	A bill authorizing the county commissioners of the county of Pike to levy a road tax, so far as relates to the county of Pike, - - - - -	377	656	773
301	A bill relative to the field notes, maps, records, and other papers appertaining to land titles within the State of Indiana, - - - - -	377	727	834
302	A bill to incorporate the Danville, North Salem, and Crawfordsville Plank Road Company, - - - - -	380	499	733
303	A bill to incorporate the Lagrange male and female seminary, - - - - -	380	891	918
304	A bill for the relief of Montgomery county, - - - - -	380	452	733
305	A bill to provide for carrying the unpaid taxes of 1817, and the delinquent taxes of previous years, on the tax list of 1859, in the county of Adams, - - - - -	384	577	734
306	A bill for an appropriation for a fire engine for the use of the State Prison, - - - - -	389	539	733
307	A bill to straighten the line between Ohio and Dearborn counties, - - - - -	389	673	902
308	A bill incorporating the Indianapolis and Springfield Plank Road Company, - - - - -	393	807	
309	A bill more effectually to prevent mistakes, - - - - -	395	793	
	A bill to amend an act entitled "an act to incorporate the Rushville and Lawrenceburgh Railroad Company," - - - - -	396		
				[586, 587 431, 447, 522-3

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

960

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other proceedings.</i>	<i>Approved.</i>
310	A bill to secure the more prompt payment of road tax,	401		793	892		917
311	A bill for the relief of certain persons in the county of Fulton, - - - - -	401		794			
312	A bill to organize the county of Sturke, - - -	409		462	656		773
313	A bill to authorize the auditor of Grant county to loan money to the treasurer of the Grant county semi- nary, - - - - -	410	794	820	893		914
314	A bill appropriating one hundred dollars out of the State Treasury for the building of a bridge in Jen- nings county, and appointing a commissioner to extend the same, - - - - -	410	511				
315	A bill to authorize the board of commissioners of Da- viess county to compound a certain claim against the surviving heirs of Joseph Doherty, late of said county, deceased, - - - - -	410		794	892		919
316	A bill to amend an act entitled "an act to increase and extend the benefits of common schools," - - -	412		794	892		918
317	A bill to improve Laughery creek in the State of Indi- ana, - - - - -	412	795	820	893		914

318	A bill attaching a part of the county of Jackson to the county of Lawrence, - - -	415	700			
319	A bill in relation to the surplus revenue and school funds in the counties of Dearborn and Ohio, -	424	795, 837			
320	A bill for the relief of Hezekiah Hinkston, heir at law of David Hinkston, late of Marion county, deceased, - - -	425		795	892	916
H 61 321	A bill declaring a certain stream therein named a public highway, in the county of Shelby, -	425		795	892	919
322	A bill to provide for the election of township assessors in the county of Crawford, - - -	425		795	892	916
323	A bill to amend the road law so far as Jefferson county is concerned, - - -	426		795	892	918
324	A bill to amend an act extending the jurisdiction of justices of the peace, approved February 16, 1846, and also to limit the sessions of the grand jury in Fulton county, - - -	426		463	749	833
325	A bill to confirm the sale of the State's right to take new stock in the Madison and Indianapolis Railroad Company, and to prevent said Company from making any increase in the stock of said Company, so long as the State has any interest in said road,	430	472-3, 660	661	890	917
326	A bill to repeal part of section 16 of chapter 12 of the Revised Statutes of 1843, - - -	432		796	891	918
327	A bill relative to the sale of spirituous liquors in Ripley township in the county of Rush, - - -	432		796	895	919
328	A bill for the relief of Nancy Kitchen, - - -	434		796	891	917
329	A bill to provide for draining wet lands in the county of Adams, - - -	441		796	891	917

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>
330	A bill for the relief of Ann Blythestone, of the county of Allen, - - - - -	442	796	820	893		914
331	A bill to repeal a certain act therein named, so far as relates to the county of Steuben, - - -	442		796			
332	A bill providing for the opening of streets and alleys in the City of Indianapolis, - - -	442		463	876	877	916
333	A bill to repeal an act, entitled "An act to incorporate the town of Bloomfield," approved February 2, 1837, - - - - -	445		796	905	906	918
334	A bill declaring a certain road in Morgan county a State road, - - - - -	445		796	891		917
335	A bill providing for the removal of fences from canal lands, - - - - -	454		796	892		918
336	A bill to amend an act, entitled "An act to provide for the election of township assessors in the counties therein named, and defining their duties," approved Jan. 27, 1847, - - - - -	455	776, 783	784	879	879	916
337	A bill to establish an additional place of holding elections in Eagle township, in Boone county, - - -	457		656			734

338	A bill to legalize the acts of the School Commissioner of Marion county, and to abolish the office of School Commissioner, - - -	475	796	892	917
339	A bill to locate a State road from Crawfordville, in Montgomery county, to Concord, in the county of Tippecanoe, - - -	476	796	892	917
340	A bill to prohibit the sale of intoxicating drinks in Blue River township, Johnson county, Indiana, -	479	796	892	919
341	A bill to divorce Susan Coleman from her husband, and change her name to that of Susan Beers, -	480			
342	A bill to repeal an act therein named, so far as the county of Fayette is concerned, - - -	480	796	892	916
343	A bill for the relief of William Mackey, - - -	480	796	892	917
344	A bill to authorize the sale of school section in township 26 north, range 1, in Carroll county, -	481	820	893	914
345	A bill to transfer the dockets of John Hodge and Jefferson S. S. D. Carey, late justices of the peace of Grant county, Indiana, to the custody of Thomas Wall, a justice of the peace of said county, -	481	821	893	914
346	A bill dissolving the bans of matrimony between Isaac Foster and Lucinda Foster, - - -	481			
347	A bill relative to the probate judge of the county of Randolph, - - -	482	821	894	914
348	A bill to enable the qualified voters of District No. 4, in Township No. 31 north, of range 6 east, in Kosciusko county, to levy a tax in said district sufficient to build a school house, - - -	482	786	895	917
349	A bill for the relief of Zadock C. Smith, of the county of Miami, - - -	482	797	895	917

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

964

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other proceedings.</i>	<i>Approved.</i>
350	A bill for the relief of persons who have made improvements on school section in township No. 25 north, of range 3 east, in the counties of Cass and Miami, - - - - -	482		797	895		917
351	A bill to authorize the location of a State road in the counties of Jefferson and Clark, - - - - -	483		797			
352	A bill for the relief of John Mahariev, - - - - -	487	797	821	894		914
353	A joint resolution relative to the redemption of the Wabash and Erie Canal Scrip, east of Tippecanoe, - - - - -	489	797, 851, 869				
354	A joint resolution relative to the navigation of the Iroquois and Kankakee rivers, - - - - -	490		797	895		919
355	A joint resolution on the subject of improving the navigation of the Ohio river, - - - - -	490		797	895		919
356	A joint resolution relative to the Miami Indians, - - - - -	490		797	895		917
357	A joint resolution on the subject of vacant lands in the State of Indiana, &c., - - - - -	490		797	895		917
358	A bill for the relief of the purchasers of the Seminary lands in Monroe county, - - - - -	490	547	547	656		734

359	A bill to increase the per diem allowance of the probate judge of the probate court of the county of Vermillion, - - - - -	490	515, 798	490	656	734
360	A bill for the relief of orphan children, - - - - -	491				
361	A bill to amend article 2, chapter 45, of the Revised Statutes of 1843, in relation to actions of ejectment and occupying claimants, - - - - -	491	580, 768			
362	A bill for the relief of the trustees of Union Meeting House for the United Brethren in Christ, in Wayne county, - - - - -	491		491	656	774
363	A bill to attach a portion of township No. 4 south, of range 9 west, to township No. 3, range 9 west, in Gibson county, - - - - -	491		768	875	916
364	A bill to incorporate the Fort Wayne and Wolf Lake Turnpike Company, - - - - -	491	520	768	891	915
365	A bill to amend an act entitled "an act to amend the charter of the Milford and Columbus Railroad," - - - - -	491	521	522	745	833
366	A bill to amend an act entitled "an act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved Jan. 19, 1846, - - - - -	491	586	768	890	
367	A bill to legalize the assessment of taxes in Tippecanoe county, - - - - -	492		492	656	735
368	A bill changing the mode of doing county business in the county of Crawford, - - - - -	492		768	810	902
369	A bill regulating the fees and salaries of the several officers and persons therein named, - - - - -	492	815, 838			

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>
370	A bill to amend "an act to provide for repairing public roads and highways in the counties of Owen, Lawrence, and Greene," approved February 1, 1834, - - - - -	492		798	895		916
371	A bill to explain section 293, of chapter 30, of the Revised Code of 1843, - - - - -	492	546				
372	A bill to reduce the fees for recording deeds and other conveyances in the county of Warrick, - - - - -	492		768			
373	A bill repealing a part of section 31, of "an act to increase and extend the benefits of common schools," approved January 17, 1849, - - - - -	492	798				
374	A bill to amend an act entitled "an act locating a State road in the counties of Decatur, Jennings, and Bartholomew," approved January 5, 1849, - - - - -	492		561	656		734
375	A bill to extend the time of the sittings of the Probate Court of Fulton county, - - - - -	493					
376	A bill to incorporate the Kossuth Bridge Company, - - - - -	493	798	595	656		735
377	A bill to amend the 38th section, of article 2, of chapter 15, of the Revised Statutes of 1813, - - - - -	493		821	894		914
				596	868	888	916

378	A bill to vacate a certain road therein named,	493		768	810	902
379	A bill defining the duties of the Auditor and Treasurer of Floyd county, in the distribution of the several school funds of said county,	493	590			
380	A bill to amend the road law in the county of Jefferson,	493		768	810	903
381	A bill relating to the Clerk's fees in the Probate Court in the county of Parke,	493		768	810	903
382	A bill to amend an act entitled "an act to incorporate the town of Greencastle in the county of Putnam," approved January 16, 1849,	494		768	890	914
383	A bill to provide for the appointment of guardians of children whose parents have become insane,	494		707		
384	A bill relative to the settlement of estates,	494	548-9, 768			
385	A bill to amend the <i>scire facias</i> law,	494	663	663		
386	A bill to amend the charter of the Ohio and Mississippi Railroad Company,	494	683	684		
387	A bill to repeal the laws authorizing the township trustees of the county of Warren, in the State of Indiana, to assess a tax,	494		768	888	916
388	A bill to repeal certain sections of an act therein named,	494	516	768	810	904
389	A bill to change the name of George Leade Stephens, of Vanderburg county,	494		769	810	903
390	A bill to incorporate the Covington Draw Bridge Company,	495	520	520	611	
391	A bill to define the duties of county assessors,	495	784-85			
392	A bill to increase the per diem of witnesses before justices court,	405	516			

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES —Continued.

968

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other proceedings.</i>	<i>Approved.</i>
393	A bill to repeal a certain act therein named, so far as the same applies to the county of Randolph, -	495		769	891		918
394	A bill concerning the easement of the Valley Mills, in Allen county, - - - - -	495	548	769	875	893	915
395	A bill to incorporate the St. Paul's Church and St. Joseph's School Society, in New Alsace, Dearborn county, State of Indiana, - - - - -	495		596	656		773
396	A bill to raise the salaries of the associate and probate judges of the county of Warren, in the State of Indiana, - - - - -	496	514	769			
3 7	A bill to change the mode of county business in the county of Owen, - - - - -	496		769	810		903
398	A bill to amend section 27, of chapter 7, of the Revised Statutes of 1843, so far as the same relates to the counties of Green and Posey, - - - - -	496		769			
399	A bill to incorporate the Lamasco Manufacturing and Ship Yard Company, - - - - -	496		799			
400	A bill fixing at a uniform rate the fees of the recorders in the several counties of this State, - - -	496	517				

401	A bill to authorize certain officers and other persons to administer certain oaths, as in other cases therein named, - - - - -	496	515	769	
402	A bill relative to elections in Perry county, - - -	496	799		904
403	A bill to legalize the election of trustees of the town of Cloverdale in Putnam county, - - - - -	496		769	810
404	A bill authorizing the examining of witnesses in chancery cases in open court, in the same manner as actions at law, - - - - -	497	546		
405	A bill to amend the 10th section, chapter 26 of the Revised Statutes, - - - - -	497	546	769	896
406	A bill to increase the pay of the probate judges of the counties of Knox, Kosciusko, and Randolph, - - -	497		769	810
407	A bill to repeal part of an act entitled "an act to fix the time for holding courts in the First Judicial Circuit, and the Probate court of Tippecanoe county," approved Jan. 2d, 1849, - - - - -	497		769	810
408	A bill to dissolve the bonds of matrimony between Robert B. Hardesty and Ellen Hardesty, - - - - -	497			904
409	A bill concerning crime and punishment, - - - - -	497	514	769	
410	A bill to reduce the fees of the recorder of Greene county, - - - - -	497		769	
411	A bill to authorize notaries public to solemnize marriages, - - - - -	497	514		
412	A bill to amend an act entitled "an act to confine voters to their respective townships," approved Jan. 13, 1845, so far as the same relates to the county of Martin, - - - - -	498		769	810
413	A bill to amend the 11th article, — chapter of the Re-				902

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Pro- ceedings.</i>	<i>Approved.</i>
414	vised laws of 1843, so far as Putnam county is concerned, - - -	498		769	875		916
415	A bill to change the name of Abraham Moore to Cyrus Moore Danham, - - -	498		769	811		903
416	A bill to provide for the election of trustees of the town of Lafayette by single districts, - - -	498		769	811		903
417	A bill to amend an act to incorporate the Peru and Indianapolis Railroad Company, - - -	498		521	749		833
418	A bill for the relief of David Baker of Cass county, A bill making general appropriations for the year 1850, - - -	498 512	513	769	811		903
419	A bill explanatory of the 20th section of an act to amend an act entitled "an act approved January 10th, 1831, and to revise and amend the laws authorizing the formation of independent militia by voluntary enlistment," approved January 15, 1844, - - -	517	799	799	895		918
420	A joint resolution to enable the State of Indiana to draw arms and equipments from the United States, - - -	518		799	895		917
421	A bill to locate a State road from Warsaw to Plymouth, - - -	518		518	749		902

422	A bill to authorize the Governor of Indiana to compromise with and cause suit to be brought against, the lessees of water power of the northern division of the Central Canal, - - -	519	870	870	918
423	A bill changing the mode of electing the clerk and marshall of the town of Terre Haute, - -	520			
424	A bill to amend an act entitled "an act to revise and consolidate the several acts of the General Assembly relative to laying out, opening, repairing, changing, and vacating public highways, and the erection and repairing of bridges, and to amend the same," approved January 17, 1849, so far as relates to Gibson county, - - -	524	770	811	903
425	A bill to raise a revenue for state purposes for the year 1850, - - -	545	546, 658, 659	820	904
426	A bill to more effectually prevent the sale of spirituous liquors, - - -	557	[760-1-2-3 725, 737, 757,		
427	A bill to organize an additional school district in the county of Sullivan, - - -	557		656	734
428	A bill to change the boundary lines of Fountain and Warren counties, - - -	558	737		
429	A bill to change the name of the town of Westport, in the county of Parke, and State of Indiana, to that of Howard, - - -	558			
430	A bill granting the right of way to companies in the State of Illinois, to construct plank roads in the county of Vermillion, in this State, - -	561	799	895	918
431	A bill relative to a joint railroad and joint passenger depot at Indianapolis, - - -	561	561	656	733
			781	680, 770, 781	

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings thereon.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Pro- ceedings.</i>	<i>Approved.</i>
432	A bill to prevent the unnecessary obstruction of Otter creek, in the county of Vigo, - - -	562		562	656		774
433	A bill to amend the charter of the New Albany and Salem Railroad Company, - - -	574		575	656		733
434	A bill for the benefit of certain citizens of the seminary township, of Gibson county, - - -	581		799	895		918
435	A bill to vacate a certain state road in the county of St. Joseph, - - -	581	77 0				
436	A bill to vacate part of a state road therein named, - - -	582		770			
437	A bill to amend an act to incorporate the town of Hagerstown, in Wayne county, - - -	589		589	656		774
438	A bill to extend the road laws, approved Jan. 16, 1849, to Porter county, - - -	589		589	657		773
439	A bill to repeal a certain act therein named, so far as relates to the county of Randolph, and to revive certain other laws, - - -	590					
440	A bill in relation to the school fund in Floyd county, - - -	590		590	657		734
441	A bill authorizing the election of an additional justice of the peace in Highland township, Vermillion co., - - -	590		590	745		833
				590	657		734

442	A bill for the relief of Aaron Wright, of Marion county, - - - - -	591	657	734
443	A bill to attach certain territory in the county of La- porte, - - - - -	591	657	734
444	A bill to incorporate the town of Newbern, in Bar- tholomew county, - - - - -	592	657	733
445	A bill to vacate a state road in Tippecanoe county, - - - - -	592	750	
446	A bill to change the name of Trenton, in the county of Randolph, - - - - -	593	657	733
447	A bill to increase the salary of probate judge of Elkhart county, - - - - -	593	657	734
448	A bill to incorporate the Drewersburg Turnpike Com- pany, - - - - -	593	749	834
449	A bill to prevent the sale of spirituous liquors in Mound township, in the county of Warren, without first procuring license therefor, - - - - -	594	745	833
450	A bill to legalize the Lafayette and Muncietown state road, in the counties of Clinton and Tipton, - - - - -	594	657	734
451	A bill repealing the license of travelling pedlars, in several counties therein named, - - - - -	594	823	904
452	A bill relative to the county seminary property of Van- derburg county, - - - - -	595	657	773
453	A bill to change the name of the town of White Hall in Miami county, to that of Waw-pe-cong, - - - - -	595	657	733
454	A bill to legalize certain proceedings in the Grant pro- bate court, - - - - -	596	657	734
455	A bill declaring the Calumet river a public high- way, - - - - -	598	657	773
456	A bill defining the boundaries of school district No.			

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other proceedings.</i>	<i>Approved.</i>
457	1, in congressional township No. 12 north, of range 5 west, in the counties of Clay and Owen, -	598		598	745		834
458	A bill to incorporate the Otter Creek and Raccoon Plank Road Company, - - - - -	606	638	638	880		
459	A bill to amend an act entitled "an act to incorporate the Attica and Warren County Bridge Company," approved Feb. 16th, 1848, - - - - -	606		606	745		833
460	A bill to vacate the village of Mt. Pleasant, in St. Joseph county, - - - - -	636		636	745		833
461	A bill to alter and change a State road therein named, - - - - -	636		637	745		902
462	A bill to declare certain water courses in counties of Perry and Spencer public highways, and for other purposes, - - - - -	637		637	745		834
463	A joint resolution relative to the donation of certain lands in the Vincennes Land District, for the purpose of sustaining and encouraging common schools, - - - - -	640		640	749		902
		641	664	770	890		914

464	A bill to legalize the the acts of George R. Proctor as agent of Martin county, - - -	641		641	749	902
465	A bill to provide for the payment of certain debts of the town of Lafayette, - - -	641		776		
466	A bill to amend the 336th section of chapter 47 of the Revised Statutes of 1843, - - -	641	799	821	894	916
467	A bill relating to the prosecuting attorney of Hendricks county, - - -	641		641	811	903
468	A bill authorising the transfer of liens of mechanics and others, on buildings, - - -	641		709	811	904
469	A bill to vacate certain State roads therein named, - - -	642		642	745	834
470	A bill to authorize suits to be brought in the name of the State of Indiana, upon the relation of county auditors, in certain cases, - - -	642	707, 708	770	890	917
471	A bill to amend an act entitled "an act to provide for the election of prosecuting attorneys, - - -	642	706			
472	A bill to compel speculators to pay a tax equal to that paid by actual settlers in Lagrange county, - - -	642		642	856	861
473	A bill to repeal an act entitled "an act to leave the Wabash river on Shaker Prairie," approved Jan. 14, 1846, - - -	642		770	892	917
474	A bill to incorporate the Marion County Horse Company for the detection and apprehension of horse-thieves, and others charged with crime, - - -	642		642	745	902
475	A bill changing the mode of electing United States Senators, - - -	642	677	770	894	915
476	A bill authorizing the Vermillion circuit court to hear the application of Susan Coleman, for a divorce and change of name, - - -	643		643	745	903

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Pro- ceedings.</i>	<i>Approved.</i>
477	A bill to amend an act, entitled "An act to revise and consolidate the several acts of the General Assembly relative to laying out, opening, repairing, changing, and vacating public highways, to the erection and repair of bridges, and to amend the same," so far as relates to Rush county, - - -	643		643			
478	A bill to amend "An act to abolish the office of county auditor in the county of Johnson," approved Jan. 14, 1846, - - -	643		643	745		902
479	A bill to incorporate the Lamasco Iron Manufacturing Company, - - -	643	679	679	811		903
480	A bill to incorporate the Vincennes and Orleans Railroad Company, - - -	643					919
481	A bill to provide for the more effectually preventing the sale of intoxicating drinks in the town of Lewisville, - - -	643	681	770			
482	A bill to amend an act, entitled "An act regulating the granting of license to retail spirituous liquors in the counties of Gibson and Dubois," approved Feb-	643		643	749		834

483	ruary 16, 1848, so far as relates to the county of Gibson, A bill to amend an act, entitled "An act to incorporate the Buffalo and Mississippi Railroad Company, and the several amendments thereto," - - -	644	644	745	492
484	A bill to extend an act, entitled "An act to extend the jurisdiction of justices of the peace in the several counties therein named," approved Jan. 16, 1849, to Wayne county, - - -	644	644	652-3, 669	902
485	A bill relating to the jurisdiction of justices of the peace in certain criminal cases, in the county of Tippecanoe, - - -	644	799	746	834
486	A bill relating to the extra pay of the clerk and auditor of the county of Parke, - - -	644	644	895	
487	A bill to amend the act, entitled "An act to extend the benefits of Common Schools," approved Jan. 16, 1849, - - -	645	645	749	
488	A bill to regulate the ex officio fees of the clerk and sheriff of Warrick county, - - -	645	645		
489	A bill to change the name of Andrew Jackson Keeth to that of Andrew Jackson Wiggins, and for other purposes, - - -	645	645	880	917
490	A joint resolution relative to the preservation of a Republican Government and justice to public servants, A bill to authorize the Governor to take an appeal to the Supreme Court in the Patrick McGinley case, A bill to amend an act, entitled "An act to extend the jurisdiction of justices of the peace in certain criminal cases," approved Feb. 16, 1848, and to repeal	668	800-1, 857 to 869		
491		677	799	800	
492					

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other pro- ceedings.</i>	<i>Approved.</i>
493	an act, entitled "An act to define the jurisdiction of justices of the peace in the several counties therein named," approved January 16th, 1849, - - - - -	678	848	848			901
494	A bill to attach certain families to a school district therein named, in the county of Knox, - - -	682		682	808		902
495	A bill to authorize the construction of a dam across the Tippecanoe river in Pulaski county, - - -	682		682	808		901
496	A bill fixing the salary of the auditor of the county of Miami, - - - - -	683		683	808		904
497	A bill to change the name of Uniontown, in Grant county, - - - - -	683		683	808		915
498	A bill to prohibit the sale of spirituous liquors in Jackson and Monroe townships, in Madison county, by a less quantity than thirty gallons, - - -	684		684	889	890	
499	A bill to regulate the interest on money, in the county of Laporte, - - - - -	684	685, 795				
	A bill to locate a State road on the line dividing Miami and Wabash counties, - - - - -	685		685	808		904

500	A bill to authorize the appointment of a Private Secretary to the Governor, - - -	704	704-5	770	891	917
501	A bill explanatory of an act to amend an act, approved February 12th, 1848, providing for the election of township assessors and township collectors, in Jennings county, and for other purposes; - -	709		710	808	834
502	A bill to incorporate the Eagle Creek Plank Road Company, in Marion county, - - -	713	758	759	894	914
503	A bill to locate a State road from Orleans, in Orange county, to Newberry, in Green county, - -	713		713	808	904
504	A bill to authorize the Auditor of Henry county to sell a certain tract of land belonging to the school fund in said county, - - -	713		713	808	904
505	A joint resolution relative to the transfer of State stock, &c., and to the abolition of the office of Agent of State, - - -	723	800			
506	A bill to amend an act entitled "An act more effectually to prevent the retailing of spirituous liquors in certain counties therein named," approved Jan. 16, 1849, - - -	725	725	725		
507	A joint resolution suspending the operation of a certain act therein named, - - -	725	725			
508	A bill to authorize the trustees of the Methodist Episcopal Church in St. Louis, in Bartholomew county, to sell and convey a certain house and lot therein named, - - -	737		737	808	902
509	A bill to incorporate the Evangelical Protestant Congregation of Christians of Haysville, in the county of Dubois, - - -	738		738	808	904

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>
510	A joint resolution in regard to the compensation of jurors in the United States District Court, -	738		738	808		834
511	A bill to authorize the permanent accupation by a law institution and medical college of the north-west acre of square 25 in the city of Indianapolis, -	742	743, 777				
512	A bill to incorporate the Jonesborough and New Cumberland Plank Road Company, -	750		750	891		918
513	A bill to amend an act entitled "an act to incorporate the Peru and Rochester Turnpike Company," -	752					
514	A bill to incorporate the Lafayette, Renssalaer, and Chicago Railroad Company, -	753	779				
515	A joint resolution relative to the boundary of Texas, -	754	755				
516	A joint resolution on the subject of admitting territories into the Union, -	755	756				
517	A bill to incorporate the Decatur, Portland and Winchester Plank Road Company, -	756		756	875	876	917
518	A bill to incorporate the Centreville and Jacksonburgh Turnpike Company, -	756		756	891		918
519	A bill to authorize Margaret Hurd to file a bill for a						

520	divorce in the Martin Circuit Court, and to regulate the proceedings thereon, - - -	756	756	891	915
	A bill authorizing the county commissioners of Fountain county to vacate a certain street in Rob Roy in the county of Fountain, - - -	756	756	891	917
521	A bill to collect and reprint the school laws, - -	756	757, 812		
522	A bill to amend an act entitled "an act to incorporate the Indiana Mutual Fire Insurance Company," approved Jan. 30, 1837, - - -	757		892	916
523	A bill to incorporate the Spring Creek and Tippecanoe Hydraulic Company of White county, - -	757	777	894	915
524	A bill to regulate the retailing of spirituous liquors in the county of Kosciusko, - - -	757		891	915
525	A bill in relation to the President and Directors of the Terre Haute and Richmond Railroad Company, and to secure the more speedy completion of said road, -	757		887	919
526	A bill to exempt mechanics' tools from execution, -	757	758		
527	A bill declaring the meaning of an act therein named, - - -	758	812		
528	A bill to authorize masters in chancery to take acknowledgments of deeds and other instruments of writing, and legalizing their acts heretofore done, -	758	837	888	915
529	A bill further to amend the charter of the Lafayette and Indianapolis Railroad Company, - -	758	778	887	917
530	A bill to amend article 1, chapter 25 of the Revised Statutes of 1843, incorporating towns, - -	759	779, 780	821	
531	A bill supplementary to an act concerning divorces, -	759	811		
532	A bill to amend an act entitled "an act for the government of the Indiana Hospital for the Insane, -	759	814		

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

982

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before Passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>
533	A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock of moneyed and stock corporations, in Pike county, - - - - -	766		767			
534	A joint resolution in relation to the computation of mileage of members of the General Assembly, - - -	774	793				
535	A bill making specific appropriations for the year 1850, - - -	780	817 to 819	819	884	885, 888	918
536	A bill making an appropriation for repairing the State House, - - - - -	781		852	894		914
537	A bill to locate a State road on the line between the counties of Steuben and De Kalb, - - -	783		783	894		915
538	A bill for the relief of William J. H. Robinson, of Jackson county, - - - - -	785		785	894		915
539	A bill for the relief of Sarah M. Emerson, - - -	786					
540	A joint resolution authorizing the officers of State to procure a suitable room for the sittings of the convention, - - - - -	791	816, 851		894		915
541	A joint resolution to extend the privileges of the State Library, - - - - -	791		791	894		915

542	A bill to incorporate the Rising Sun and Allensville Turnpike Company, - - -	791	813	813	896	914
543	A bill to authorize Presley A. Irwin, of Jennings county, to file a bill in chancery, - - -	791		791	894	915
544	A bill to amend an act entitled "an act to define the jurisdiction of justices of the peace, in the several counties therein named," approved January 16, 1849, so far as the county of Putnam is concerned, - -	791		792	894	915
545	A bill to charter the Eagle Creek Marion County Horse Thief Detecting Company, - - -	792		792	894	915
546	A bill relative to the sale of land for taxes in the county of Johnson, and for other purposes, -	792		792	894	915
547	A bill to amend an act to incorporate the Lake Michigan, Logansport, and Ohio River Rail Road Company, - - -	792	792, 824	792	894	916
548	A bill for the relief of Sarah M. Emerson, - - -	792	792	851	894	916
549	A joint resolution on the subject of public lands, -	816		816		
550	A joint resolution in relation to the public officers, -	816		851		
551	A joint resolution in regard to the erection of a City Hall, - - -	817		817		
552	A bill to repeal a certain section of an act therein named, - - -	817		817	894	916
553	A bill for the relief of Martha Alloway, - - -	817		817		
554	A bill for the relief of Felix O'Brien, an insane person, of the county of Martin, - - -	817		817		
555	A bill to authorize the school trustees of Noble township, in Jay county, to make additional districts, &c., -	820		820	894	916
556	A bill to amend an act relative to the execution of decrees in chancery, approved January 16, 1849, -	820		838		

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

984

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings before Passage.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>
557	A bill supplemental to an act entitled "an act providing for a more uniform mode of doing township business in the several counties therein named," approved February 17, 1838, so far as the county of Warren is concerned, - - -	820		820	894		916
558	A bill to amend an act entitled "an act to incorporate the Lagro, Marion, and Jonesborough Plank Road Company," approved January 16th, 1849, -	823		823	894		916
559	A bill concerning free negroes, mulattoes, servants, and slaves, - - -	823	852-3				
560	A bill to change the time of holding the probate court, in Randolph county, - - -	850		850	895		916
561	A bill to amend the 8th section of the school law of 1849, in the county of Tippecanoe, - -	850		850	895		916
562	A bill to incorporate the town of Winchester, in the county of Randolph, - - -	850		850			
563	A joint resolution authorizing the Governor of the State to sell certain property, - -						
564	A bill to restrict the board of trustees of the several	854	867	867			

566	townships of the county of Warren from assessing a tax in their townships without the consent of the inhabitants thereof,	861	861	885	915
	A joint resolution relative to granting the use of fire buckets to the O. K. Fire Bucket Company No. 1, of Indianapolis,	884	884	896	915

BILLS AND JOINT RESOLUTIONS OF THE SENATE.

986

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
1	A bill for the relief of Christopher Miller, of the county of Tippecanoe, - - - - -	37		37	
3	A bill to modify the Agency of State, and reduce the expenses thereof, - - - - -	539		541	653
4	A bill to provide for the call of a convention of the people of the State of Indiana, to revise, amend, or alter the constitution of said State, - - - - -	499	[534, 649, 650 508, 517, 524, to	650	[767 708-9, 736 668-9, 691,
5	A bill defining the duties of the auditor and treasurer of the county of Delaware, - - - - -	203	203, 353	353	452
6	A bill for the relief of Charles Warner, - - - - -	37		37	
7	A bill to amend an act entitled "an act to incorporate the Milton and Waterloo Turnpike Company, - - - - -				
8	A bill for the relief of Jeremiah T. Draper, - - - - -	351	352, 447-8, 474	650	
9	A bill to amend an act entitled "an act to incorporate the Madison and Napoleon Turnpike Company," - - - - -	203	203, 204		
11	A bill to give the Monroe Circuit Court jurisdiction of a cause therein mentioned, - - - - -	58		58	
12	A bill legalizing the proceedings of the trustees of the corporation of the town of Vevay, - - - - -	58		87	
		58		136	

13	A bill for the relief of certain turnpike companies therein named,	58	114
14	A bill to amend an act to incorporate the Anderson's Collegiate Institute, - - - - -	206	378
15	A bill to amend an act to incorporate the Lake Michigan, Logansport, and Ohio River Railroad Company, approved Feb. 17, 1848, - - - - -	203	650
16	A bill to extend the terms of probate courts of certain counties,	119	137
18	A bill to incorporate the Union Turnpike Company, - - -	351	463
19	A bill to amend an act entitled "an act to authorize a company to construct a turnpike road from the point where the present state road leading from Oxford to Connersville, crosses the State line of Ohio and Indiana, to Connersville," - - -	203	378
20	A bill to protect from waste certain lands therein mentioned, -	119	119
21	A bill to amend an act defining the duties of treasurer, auditor, and supervisors of highways, in the county of Dearborn, approved Jan. 26, 1847, - - - - -	203	378
22	A bill to amend the charter of the Rushville and Shelbyville Railroad Company, - - - - -	206	379
25	A bill to extend the time of holding the circuit court in and for the county of Henry, - - - - -	203	452
26	A bill to locate a state road in the counties of Fountain, Montgomery, and Putnam, - - - - -	203	452
28	A bill to regulate and change the mode of electing petit jurors in Laporte county, - - - - -	119	307
29	A bill to amend an act to incorporate the Central Plank Road Company, - - - - -	203	379
31	A bill declaring the meaning of a certain act entitled "an act to amend an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous	206	412

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from House.</i>	<i>Proceedings before Passage.</i>	<i>Passed House.</i>	<i>Other Proceedings.</i>
32	liquors" approved Jan. 28, 1847, so far as the same relates to the county of Wabash, - - - - -	203	204, 355		
33	A bill to extend the time of holding commissioner's court in the county of Marion, - - - - -	203	204, 356	379	
35	A bill to amend the 18th section of article 3, chapter 5, of the Revised Statutes of 1843, - - - - -	207	355	379	
37	A bill relating to the docket of Bela Hearrick, a justice of the peace in Posey township, Switzerland county, - - - - -	119		138	
38	A bill for the relief of Betsy Ann Simpson, - - - - -	207		355	
40	A bill to incorporate the Old School Presbyterian Church of Dunlapville, in the county of Union, and State of Indiana, - - - - -	203	204	356	
42	A bill to incorporate the Princeton Female College, - - - - -	349	378, 405	463	653
43	A bill to incorporate the Fort Wayne Fire and Marine Insurance Company, - - - - -	352	448	463	
44	A bill amendatory of the act relative to the practice of law, - - - - -	207	356, 379		
50	A joint resolution relative to the election of United States Senators, - - - - -	205		356	
52	A bill to authorize the Governor, Auditor, and Treasurer of State	728	823, 853		

53	to borrow money to pay the interest on the funded debt, on the first day of January and first day of July, 1850, - -	203	206
	A bill to amend section 82, chapter 6, of the Revised Statutes of 1843, extending the use of the State Library to professors and teachers, - - - -	207	379
54	A bill to extend the time of holding the sessions of the Board of County Commissioners in the county of Fountain, - -	205	379
56	A bill to increase the salary of the probate judge of the county of Posey, in the State of Indiana, - - - -	207	356, 376, 418
58	A joint resolution in relation to the soldiers of the late war with Great Britain, - - - -	207	356
61	A bill for the relief of the heirs of William Shultze, deceased, - -	207	379
62	A bill to amend an act, entitled "An act to increase and extend the benefits of Common Schools," approved January 17th, 1849, - - - -	280	379
64	A bill to extend the time of holding the sessions of the Board of County Commissioners of Montgomery county, - - -	207	379
66	A bill to amend an act, entitled "An act to incorporate the Moscow and Blooming Grove Turnpike Company," approved Jan. 15, 1849, - - - -	207	379
67	A bill to amend an act, entitled "An act to change the time of holding the probate court of Franklin county," approved Feb. 15, 1848, - - - -	207	357
68	A bill to amend an act, entitled "An act to change the mode of electing grand jurors in the county of Orange," - - -	207	379
69	A bill to enable the Trustees of the Harrison County Seminary to convey certain lots therein named, - - - -	207	379
71	A bill to amend an act, entitled "An act to amend an act, entitled an act to incorporate the Knightstown and Shelbyville,	207	379

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

990

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
	Railroad Company," returned by the Governor to the Senate, Feb. 11, 1848, - - - - -	215	357	386	
72	A bill for the relief of Herman Henry Kluter and Frederick William Kluter, of the county of Ripley, Indiana, - - -	216	357	379	
73	A bill for the relief of Sibil R. Dekearman, - - -	280	357, 379		
74	A joint resolution relative to the settlement of the accounts sub- sisting between the State and the General Government rela- tive to the three per cent. fund, - - - - -	280	357, 379	379	
76	A joint resolution on the subject of the Michigan City Harbor, A bill to amend the charter of the Columbus, Nashville, and Bloomington Railroad Company, - - - - -	346	448	463	
77	A bill to provide for changes of venue in the probate courts of this State, - - - - -	205	302, 312	312	330, 392
78	A bill to extend the powers of the president and trustees of the town of Columbus, - - - - -	349	448, 473		
80	A bill authorizing the board doing county business for the county of Morgan to continue in session ten days at their March and June terms, - - - - -	216	357-8	409	453
81	A bill to amend an act entitled an act to incorporate the city of	216	357, 358		
82					

Richmond, Wayne county; Indiana, approved February 24th, 1840,	-	-	-	416	417	521	653
83 A bill to consolidate and publish in one act the several acts that now incorporate the Madison and Napoleon Turnpike Co.,	-	-	-	280	358	379	
84 A bill fixing the salaries of the trustees Wabash and Erie Canal,	-	-	-	349	501-2,567,661-2-3		
86 A bill to vacate streets and alleys therein named,	-	-	-	347	348	568	
89 A bill to locate a State road in the counties of Martin, Orange, and Crawford,	-	-	-	216	358	358	
90 A bill to compel speculators to pay a road tax equal to that paid by actual settlers, in Noble county,	-	-	-	345		346	
91 A bill to amend the 138th section of the 45th chapter of the Revised Statutes of 1843,	-	-	-	349	568, 708	771	
93 A bill in relation to certain costs in certain cases,	-	-	-	349	568	650	
95 A bill amendatory of "an act to incorporate the Delphi Plank Road Company," approved Jan. 15, 1849,	-	-	-	351	352, 568	650	
96 A bill directing the Secretary of State to make a patent for a certain lot in the town of Indianapolis, to Samuel Henderson,	-	-	-	346		347	
97 A bill relative to the National Monument at Washington,	-	-	-	346	568	568	
98 A bill to repeal an act authorizing jailors to discharge prisoners in certain cases,	-	-	-	346	568, 700-7, 771		
99 A bill to amend the charter of the Indianapolis and Bellefontaine Railroad Company,	-	-	-	345	346	386	453
101 A joint resolution for the relief of James Gallatly and others therein named,	-	-	-	543	568, 788 to 789	789	
102 A bill to amend an act entitled "an act to revise and consolidate the several acts of the General Assembly, relative to laying out, opening, repairing, changing, and vacating public highways, and to the erection and repair of bridges, and to amend the same, so far as relates to the county of Wabash,"	-	-	-	537		568	

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
103	A bill to amend the charter of the city of Evansville,	500	569	650	
104	A bill to incorporate the Tippecanoe Fire Company,	535	536	569	
106	A bill to legalize the acts of the board of county commissioners of the counties of St. Joseph, Marshall, and Fulton, in assessing the road tax in said counties for the year 1849,	216		358	
107	A bill to incorporate the Indiana Asbury Female College,	351	352, 569	650	
109	A bill regulating the road laws in the county of Monroe,	346	347, 569		
110	A bill to consolidate the Richmond Turnpike Company, and for other purposes connected therewith,	352	509	569	
112	A bill to repeal an act entitled "an act to repeal an act to provide for the election of prosecuting attorneys by the people of the several counties," approved January 27, 1847,		[872 569, 571, 587-8-9	873	[886-7-8-9 888, 884,
113	A bill to amend an act entitled "an act to incorporate the Lafayette Plank Road Company," approved January 3d, 1849,	563	565	650	
115	A bill to incorporate a company to construct a turnpike road from Dillsborough to Versailles,	347	348	570	653
116	A joint resolution in relation to the brave and patriotic sons of Hungary,	347	348	570	653

117	A bill for the better security of the surplus revenue fund in Greene county, - - - - -	347	348, 570	
118	A bill to amend an act to provide for the construction of a Railroad from Martinsville, in Morgan county, to Franklin, in Johnson county, - - - - -	347	348, 570	650
119	A bill to increase the pay of the board of commissioners of Daviess county, - - - - -	347	348, 570	650
1120	A bill to divorce Hannah S. Martin and Richard C. Martin, -	216	217	
1121	A bill to amend an act entitled "an act incorporating the Crawfordsville and Wabash Railroad Company," approved January 19, 1846, and "an act amendatory thereto," approved February 15, 1848, - - - - -	263		298
122	A bill to give the probate judge of the county of Gibson jurisdiction of writs of <i>habeas corpus</i> , - - - - -	347	348, 570	651
123	A bill to amend section 21, article 2, chapter 46, of the Revised Statutes of 1843, - - - - -	216	217	
124	A bill for the relief of George W. Potter, of Knox county, -	349	570, 705	
125	A bill for the purpose of conferring and carrying out all charitable devices, bequests, donations, gifts, and legacies, -	347	348, 570, 705, 771	
126	A bill to attach certain territory to the county of Blackford, -	539	541, 571, 685-6-7	802
127	A bill to authorize a company to construct the King's Ridge and Moorshill Turnpike, - - - - -	347	[-8, 711-12, 801-2 348, 571	651
128	A bill to authorize a company to construct the Hart's Mill and Marion Turnpike, - - - - -	347	348, 571	651
129	A bill to change the time of holding circuit and probate courts in the county of Switzerland, - - - - -	347	348, 571	651
130	A bill for the relief of John M. Cook, of Knox county, -	263		281
131	A bill to enable the Indiana Yearly Meeting of the Religious Society of Friends to receive, hold, manage, appropriate, and			

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Received from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
132	dispose of property for religious, educational, charitable, and benevolent purposes, - - - - -	416		417	
133	A joint resolution in relation to the public documents of the State of Indiana, - - - - -	353	571		
134	A bill to amend an act entitled "An act authorizing the construction of plank roads," approved, Jan. 15, 1849, - - -	352	571	651	
136	A bill to incorporate the Bowling Green Manufacturing and Navigation Company, - - - - -	539	541, 571, 636	802	
137	A bill to organize a probate court in the counties therein named, - - - - -	459	460, 571, -		
139	A bill for the relief of the Lawrenceburgh and Napoleon Turnpike Company, - - - - -	352	572, 679, -	650	
140	A bill providing for the election of Township Assessors in the counties of Greene and Hamilton, - - - - -	349	572, 637-8, -	638	726
141	A bill to carry out the obvious meaning and intent of the contract entered into between the State and her bondholders, - - -	607	609, 822-3, 865	866	[889 883,884,886,
142	A bill to amend "An act to incorporate the Michigan Road," approved, January 15th, 1845, - - - - -	280			
	A bill amendatory of an act entitled "An act to define the jurisdiction of justices of the peace in the several counties therein named,	349	572	651	746

143	A bill to legalize the returns of the votes given for and against the school law in Shelby county, - - -	349	572	651
144	A bill to change the name of Springfield, in Hendricks county, - - -	350		572
145	A bill to legalize the acts of Johnson Farley, a justice of the peace, - - -	350	572	651
146	A bill to amend article 5, chapter 28, of the Revised Statutes of 1843, - - -	646	647, 824, 850,	850
148	A bill for the relief of Delila and Sylvester Conklin, of Wayne county, - - -	350		350
150	A bill to incorporate the Trustees of the Hartsville Academy, - - -	416	417	572
151	A bill to amend the 4th article of the 7th chapter of the Revised Statutes of 1843, - - -	871	872	
152	A bill to incorporate the town of Hartsville, in Bartholomew county, - - -	447		572
153	A bill to amend an act entitled, "An act to incorporate the city of Jeffersonville and enlarge the boundaries thereof," - - -	352	572	651
155	A bill to incorporate the Madison Gas Light Company, - - -	416	417, 474,	651
156	A bill to distribute the surplus road tax in Jefferson county, - - -	607	609, 824,	824
157	A bill to amend an act to incorporate the Henry county Turnpike Company, approved, Dec. 5, 1848, - - -	352		353
160	A bill to incorporate the Hamilton Manufacturing Company, - - -	539	541	651
161	A bill for the relief of purchasers of school lands, - - -	535		536
163	A bill to incorporate the Vevay, Mt. Sterling and Turnpike Road Company, - - -	353		387
164	A bill to amend an act entitled, "An act for the relief of Louisa Jane Cassatt," approved, January 23, 1849, - - -	350		250
166	A bill to prevent frauds upon the revenue, - - -	416	417, 572,	652
167	A bill to incorporate the Fort Wayne and Piqua Plank Road Company, - - -	500		573

BILLS AND JOINT RESOLUTIONS OF THE SENATE — Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
168	A bill to vacate a part of the Fort Wayne and Lima State road, and for other purposes, - - -	352	353		
169	A bill to authorize the Trustees of the first regular Baptist Church of Crawfordsville, Montgomery county, Indiana, to sell land, - - -	352		573	
171	A joint resolution in relation to slave trade, - - -	535	536, 652, 730	731	
173	A bill to incorporate the Rushville and National Road Plank Road Company, - - -	417		573	653
174	A bill to amend an act authorizing the Board of Commissioners of Cass county, to issue bonds bearing ten per cent. interest per annum, approved Jan. 28, 1843, - - -	417	573	652	
175	A bill to amend an act entitled "an act to authorize county auditors to sell lands at private sale which have been bid in for the use of the school fund," approved Jan. 28, 1847, as far as relates to the counties of Fountain and Martin, - - -	646	647	824	
176	A bill to increase the per diem allowance of the probate judge of the probate court of Fountain county, - - -	417	573	652	
177	A bill to amend the charter of the Crawfordsville Institute, - - -	447		573	
178	A bill to incorporate the Noblesville and Northfield Plank Road Company, - - -	539	541, 574	652	

179	A bill to change the time of holding the Hancock Circuit Court,	352	353, 574, 703, 704	
180	A bill defining the duties of the treasurer of Hancock county,	352	353, 574	652
182	A bill authorizing the taking of depositions of practicing physicians in certain cases,	563	565, 824	853
183	A bill to repeal the second section of an act entitled "an act to change the time of holding the probate courts in the counties of Perry and Hamilton," approved Dec. 30, 1845, and for other purposes,	539	541	802
184	A bill to incorporate the trustees of the Indianapolis Collegiate Institute,	607	609	824
185	A bill relative to lands mortgaged and forfeited to the State of Indiana,	607	609	824
186	A bill requiring an enumeration of the white male inhabitants of this State,	539	541, 574, 659	802
187	A bill to locate a State road in the counties of Posey and Vanderburgh,	353	574	802
188	A bill supplemental to an act entitled "an act to incorporate the town of Mount Vernon," approved Jan. 27, 1847,	500		595
190	A bill to repeal an act entitled "an act to vacate a certain road in the county of Switzerland," approved Jan. 17, 1849,	539	541, 574	803
191	A bill to establish an additional precinct in Mays township in the county of Posey,	540	541, 574	803
192	A bill to incorporate Congressional township No. 19, in Delaware and Henry counties, for the encouragement of free schools,	540	541	803
193	A joint resolution awarding the thanks of the General Assembly of the State of Indiana to Mrs. Minnie Boyd for the valuable present of a painting called the "Hoosier's Nest,"	378		378
194	A bill to authorize the Jeffersonville Railroad Company to issue and secure the payment of bonds,	378		378

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from House</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
195	A bill to provide for the more speedy collection of the State revenue, and secure the prompt payment of the interest on the state debt,	542	542, 574, 580		
196	A bill to amend an act entitled "an act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, into one act, and amend the same," approved Feb. 14, 1848, and also the act amendatory thereto,	805	861		
198	A bill to amend the school law, so far as the same relates to fractional township No. 3, range 10, in Jefferson county,	563	565	824	
199	A bill to authorize justices of the peace in Posey township, Switzerland county, to perform the duties of coroner in certain cases,	540	542	824	
200	A bill to incorporate the Connorsville and Raysville Turnpike Company,	728	729	824	
201	A bill for the benefit of John Greene and T. T. Crittenden,	607	609, 664		
202	A bill for the relief of Sylvester P. Morgan and Benjamin Fuller, of the county of Clark,	564	265	824	
203	A bill to locate a state road in Morgan and Owen counties,	564	565	824	

204	A bill to incorporate the Lafayette, Rossville, and Michigan Plank Road Company, - - -	691	693	824
205	A bill to incorporate the Eel River Bridge Company, - - -	691	693	825
206	A bill to regulate the retailing of spirituous liquors in Tippecanoe county, - - -	608	609	803
207	A bill to amend section 65, of chapter 54, of the Revised Statutes of 1843, as far as relates to the county of Tippecanoe, - - -	608	609	825
208	A bill to authorize the superintendent of the New Albany and Vincennes McAdamized Road to pay attorney's fees in the case of Clendenin against Frazer, in the Supreme Court, - - -	564	565	825
209	A bill to provide for the extension of the time of holding the terms of the Marion probate court, - - -	608	609	803
210	A bill to vacate certain streets and alleys in Jeffersonville, - - -	608		825
211	A bill to amend the 36th section of the 37th chapter of article 1, of the Revised Statutes of 1843, - - -	500		825
212	A bill for the relief of certain persons therein named, in Warren county, - - -	691	693	825 893
213	A bill for the relief of Nancy C. Burrows, of Jefferson county, - - -	564	565	825
216	A bill to incorporate the Point Commerce Bridge Company, - - -	692	693, 825, 840	841
217	A bill to incorporate the Clinton and Illinois Plank Road Company, - - -	540	542	825
218	A bill to authorize the board of commissioners of Davies county to compromise certain actions now pending against the securities of Friend Spears, late treasurer of said county, - - -	417	418	825
219	A bill to amend "an act creating the Marion Court of Common Pleas," approved Jan. 4, 1849, - - -	646		646
221	A bill to publish and declare in force the provisions of an act entitled "an act to increase and extend the benefits of common schools" - - -	608	609, 820	

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings thereon.</i>	<i>Passed House.</i>	<i>Other Pro- ceedings.</i>
223	A bill directing the Secretary of State to make a patent to James Hensley, for certain Wabash and Erie canal lands, -	608	609, 826	853	
224	A bill to locate a state road in the county of Washington, -	561		565	
225	A bill to incorporate the town of Belleville, in Hendricks county, -	459		460	
226	A bill to incorporate the town of Noblesville, -	564	565	803	
228	A bill making additional appropriations for the year 1850 upon the New Albany and Vincennes Turnpike Road, -	527		826	
229	A bill to incorporate the White River Railroad Company, -	646	647	826	
230	A bill to amend an act entitled "an act to compel speculators to pay a road tax equal to that paid by actual settlers, and for other purposes, in the county of Tipton," -	459	460, 826	853	
231	A bill for the relief of Mary Huffman, -	564	565	826	
232	A bill to legalize the sale of lot No. 85, in the town of Wabash, in Wabash county, Indiana, -	459		826	
234	A bill to incorporate the Mixerville Turnpike company, -	692	693	826	
235	A bill to incorporate the Presbyterian Female College, in the county of Washington, -	564		565	

236	A bill changing the time of holding the probate court of Allen county, - - -	608	609	826
237	A bill regulating the jurisdiction of justices of the peace in the county of Henry, - - -	608	609	826
238	A bill supplemental and amendatory of an act entitled "an act to define the jurisdiction of justices of the peace in Vermillion county, - - -"	564	566	803
541	A bill to amend the practice in the circuit courts, - - -	692	693, 826	
242	A bill for the relief of the estate of Noah Noble, deceased, - - -	564	566	826
243	A bill to correct a mistake in an act relative to plank roads, - - -	608	610	927
244	A bill to provide for a general index of all deeds in Marion county, - - -	692	693	827
245	A bill to amend an act entitled "an act to incorporate the Fort Wayne and Bluffton Turnpike Company," - - -	564	566	827
246	A bill to provide for the registration of births, deaths, and marriages, - - -	646	647, 827	
247	A bill to amend an act entitled "an act to incorporate the city of New Albany, and to repeal all laws in force incorporating the town of New Albany," approved Feb. 18, 1839, and of the various acts amendatory thereto, - - -	608	610	827
248	A bill to authorize the sale of the feeder dam in Delaware county, - - -	874		874
249	A bill to incorporate the Lagro and North Manchester Plank Road Company, - - -	608	610	827
250	A bill to incorporate the Shelbyville and Indianapolis Railroad Company, and for other purposes, - - -	666	771-2, 777-8, 821	822
251	A bill declaring a certain county road therein named a state road, - - -	692		827
252	A bill authorizing the state librarian to send surplus copies of public documents to Liberia, - - -	692	693	827

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other Proceedings.</i>
253	A bill to vacate a certain road in the county of De Kalb, -	692	693	827	
254	A bill to amend an act, entitled "An act to incorporate the city of Fort Wayne," - - - - -	500		827	
255	A bill to amend an act to incorporate the American Cannel Coal Company, - - - - -	805	805, 814	815	
256	A bill to change the name of Lawson Brinton, of Pike county, and for other purposes, - - - - -	692	693	827	
257	A bill relative to the probate judge of Shelby county, -	728	729	827	
258	A bill to incorporate the town of West Union, in Fayette county, -	728	729	827	
261	A bill to change the name of Belsora Barsheba Inglewright and others, - - - - -	728	729	827	
262	A bill in relation to printing additional copies of the general and local laws of this State, - - - - -	728	729	827	
563	A bill to authorize the Trustees of the Mooresville School Society to convey real estate, - - - - -	564	566	827	
264	A bill fixing the salaries of the auditor of the counties of Owen, and Greene, - - - - -	500	827	826	893
265	A bill to incorporate the Cloverdale Seminary, - - - - -	535	536	803	
266	A bill to cede and transfer the right and interest of the State in				

267	and to the Northport feeder dam to the Board of Commissioners of the county of Noble, for the use of Common Schools, -	540	542	803
268	A bill for the temporary relief of the poor of Dearborn county, -	728	728	827
	A bill providing for the re-location of Orr and Harrison's addition of the eastern enlargement of Evansville, and for other purposes, - - - - -	728	828	853
270	A joint resolution upon the subject of a grant of land for a geological survey of the State of Indiana, - - - - -	537		728
272	A bill imposing additional duties on the Warden and the Superintendent of the State Prison buildings, - - - - -	728	729	729
273	A bill to incorporate the North Western Christian University, -	567		591
274	A bill to extend the benefits of a certain act therein named, -	874		
275	A bill to amend an act, entitled "An act more effectually to prevent the retailing of spirituous liquors in certain counties therein named," approved Jan. 16, 1849, - - - - -	728	729	729
276	A bill to authorize the construction of a Railroad from Rushville to Lewisville, in Henry county, - - - - -	728	730	730
277	A joint resolution allowing to each of the benevolent institutions of the State a copy of the General and Local Laws and the Revised Code, - - - - -	537		537
278	A bill for the punishment of misdemeanors in the town of Lafayette, in the county of Tippecanoe, - - - - -	540	542, 683	683
279	A bill to incorporate the Brookville Railroad Company, - -	564	566, 728, 853, 882	
280	A bill to incorporate the Tippecanoe Monumental Association, -	692	693	693
281	A bill to incorporate the Ohio River, Princeton, and Petersburg Plank Road Company, - - - - -	666	710	803
282	A bill to locate a State road in Clinton and Tipton counties, -	540	542, 582	
283	A bill to encourage the investment of capital for manufacturing purposes, - - - - -	692	694, 809	728

[839, 893
808-9, 821,

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
285	A bill to repeal an act entitled "an act to amend section one hundred and one of chapter thirty-eight of the Revised Statutes of 1843," so far as relates to the counties of Tipton and Morgan, - - - - -	728	730	803	
287	A bill to incorporate the Crawfordville and Terre Haute Plank Road Company, - - - - -	608	610, 829, 839	840	893
288	A bill to prevent the consolidation of indictments for selling liquors in Dearborn county, - - - - -	728	730, 829	905	
289	A bill to incorporate the Richmond and Liberty Turnpike Company, - - - - -	608	610	829	
290	A bill to amend the several acts incorporating turnpike roads therein named, - - - - -	608	610	829	
291	A bill to incorporate the Jefferson county Historical Society, - - - - -	608	610	829	
292	A bill for the relief of George Donaldson of LaGrange county, - - - - -	692	694	829	
293	A bill to repeal an act therein named, - - - - -	562	829		
294	A bill to incorporate the Fort Wayne, Auburn, and Steuben Plank Road Company, - - - - -	805		861	
295	A bill establishing a court of common pleas in Hancock county, and defining its jurisdiction, - - - - -	564	566, 753		

296	A bill to extend the terms of the Probate Court of Monroe county, - - -	692	694, 712	712	820
297	A bill authorizing justices of the peace in certain cases to perform the duties of coroner, - - -	692	694	829	
298	A bill to incorporate the trustees of the Indiana Female Normal School, - - -	646	647	829	
299	A bill to change the name of Virginia Young to that of Virginia McAfee, - - -	692	694	829	
300	A bill for the relief of James Brentenshaw of Franklin county, - - -	564		566	
301	A bill to preserve the interest of the State of Indiana in the Madison and Indianapolis Railroad, - - -	646	647	804	
303	A bill to amend an act entitled "an act to authorize the people of the several counties to prohibit the retailing of spirituous liquors," approved January 28, 1847, so far as the same relates to the counties of Monroe and Brown, - - -	692	694, 738, 829	830	893
304	A bill to incorporate the town of Shelbyville in Shelby county, - - -	692	694, 751	804	
305	A bill to incorporate the Evansville Insurance Company, - - -	692	694, 759	750	906, 910
306	A bill for the relief of Elias Abel of Monroe county, - - -	646	647	830	
307	A bill to incorporate the Rushville and Muncietown Railroad Company, - - -	608	610	830	
308	A bill to incorporate the Mt. Vernon Insurance Company, - - -	692	694, 695	714	906, 910
310	A bill permanently fixing the location of the Greenfield and Franklin State road, within the counties of Hancock and Shelby, - - -	540	542	804	896
311	A bill to incorporate the town of Troy in Perry county, - - -	692	695	804	
312	A bill to locate a State road in the counties of Henry and Delaware, - - -	692	695	695	896
313	A bill to incorporate the Pittsburg Library Institute, - - -	564		566	
314	A bill for the relief of Samuel Scott, sen., of Posey county, - - -	564		566	

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
315	A bill regulating the relinquishment of damages upon the Wabash and Erie Canal, - - -	564	567	839	
316	A bill for the relief of Hugh M. Stevenson and James Wilson of Wabash county, - - -	692	695	830	
317	A joint resolution on the subject of a mail route from Rushville by the way of Greenfield to Noblesville in Indiana, - -	564	567	831	
318	A bill to amend chapter 5, article 48, of the Revised Code, - -	692	695, 831	853	
319	A bill to incorporate the Cannelton Savings Institution, - -	692	695	723	
321	A bill to incorporate the Firemen's and Mechanics' Insurance Company, - - -	646	647	831	906,907,910
322	A bill to amend an act entitled an act to fix the time of holding courts in the tenth judicial circuit, approved January 25th, 1847, - - -	646	647	831	
323	A bill to amend an act entitled "an act to compel speculators to pay a road tax equal to that paid by actual settlers, in the county of Noble," approved January 4, 1850, - -	564	565	831	893
324	A bill to incorporate the Madison and Clifton Water Works, - -	692	695	714	
326	A bill to incorporate the "Chaffrans Bickurchalin Tickfurans," of Fort Wayne, - - -	534		567	

327	A bill fixing the time of holding the several circuit courts in the 11th judicial circuit, - - - - -	564	567
328	A joint resolution declaring the rights of John Stockton, an insane person, - - - - -	608	610
330	A bill for the relief of Charles Martin, Daniel Seward, and John Bundy, - - - - -	608	831
331	A bill to vacate parts of certain streets and alleys in the town of South Bend, in St. Joseph county, - - - - -	608	610
332	A bill to amend section 53, of chapter 45, of article 2, part 3, of the Revised Statutes of 1843, - - - - -	605	862
333	A bill reviving an act defining the manner of collecting taxes due from the Madison and Indianapolis Railroad Company, - - - - -	874	875, 883
334	A bill to repeal an act entitled "an act more effectually to prevent the retailing of spirituous liquors in certain counties therein named," - - - - -	805	862
335	A bill for the relief of Israel Bayless, - - - - -	608	610
336	A joint resolution in relation to an appropriation by the General Government, for the improvement of the Harbor at Michigan City and the Ohio river, - - - - -	856	856
337	A bill to legalize the marriage between William Brazzle and Sarah Vaughan of Daviess county, - - - - -	646	647-8, 831
338	A bill to incorporate the Logansport Insurance Company, - - - - -	646	854
339	A bill to amend an act entitled "an act to increase and extend the benefits of common schools," approved Jan. 17, 1849, - - - - -	805	870
340	A bill to incorporate the Cincinnati and St. Louis Telegraph Company, - - - - -	666	854
341	A bill for the relief of Paul Egbert and others, - - - - -	646	854
343	A bill in relation to the erection of a school house in Cambridge City, - - - - -	642	854
			906,907,910

BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other Proceedings.</i>
344	A bill for the relief of Elihu Morris, of the county of Marshall, State of Indiana, - - - - -	864	881		
345	A bill repealing certain laws so far as the same relates to Hancock county, and for other purposes, - - - - -	728	730, 854, 870		
346	A bill defining the duties of the treasurer of Madison county, as to road tax, - - - - -	616	648	854	
347	A bill in relation to tavern and grocery license in Hancock county, - - - - -	728	730, 854, 866	866	890
348	A bill to amend an act entitled "an act to incorporate the city of Indianapolis," approved May 27, 1848, - - - - -	692	695	804	
350	A bill to amend an act entitled an act to define the jurisdiction of justices of the peace in the several counties therein named," approved Jan. 16, 1849, - - - - -	871		872	
351	A bill to provide for the election of Prosecuting Attorney in the county of Wabash, - - - - -	646	648	854	
352	A bill to provide for the sale of a portion of square No. 25, in the town of Indianapolis, for the purpose of erecting thereon buildings for the use of the Indiana Central Medical College, - - - - -	864		865	890

353	A bill to increase the pay of the Probate Judge of Harrison county, - - - - -	648	854
355	A bill entitled "an act to incorporate the Washington Manufacturing Company, - - - - -"	805	862
356	A bill to incorporate the Brookville Literary and Scientific Lyceum, - - - - -	805	862
357	A bill authorizing the election of an additional justice of the peace in North Madison, - - - - -	646	854
358	A bill for the relief of Crawford Byrd, - - - - -	646	854
360	A bill to authorize the sale of the Northern Division of the Central Canal, - - - - -	864	865
361	A bill to vacate a certain alley in the town of Spencerville, - - - - -	646	855
362	A bill to amend an act to incorporate the Wilmington and Aurora Insurance Company, approved February 2, 1839, - - - - -	738	730
363	A bill to authorize Michael T. Bourke to obtain license to practice law in this State, - - - - -	666	855
364	A bill to authorize the voters of Washington township in the county of Blackford, to vote at Hartford, in said county, - - - - -	666	667
365	A bill to amend the charter of Evansville and Illinois Railroad Company, - - - - -	648	782
367	A bill to authorize the commissioners of Pulaski county to borrow money, - - - - -	667	890
368	A bill to authorize a company to construct the Manchester and Elizabethtown turnpike, - - - - -	666	667
369	A bill to amend an act entitled "an act granting the citizens of Lawrenceburgh a city charter, and for revising and repealing all laws and parts of laws heretofore enacted on that subject," - - - - -	693	855
370	A bill to amend the charter of the White Water Canal Company, - - - - -	805	862
		695	879

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other Pro- ceedings.</i>
371	A bill to amend an act entitled "an act to change the time of holding courts in the eighth judicial circuit," approved Jan. 15, 1849, - - -	666	667	855	
372	A bill to change the time of holding the February term of the probate court in the county of Crawford, - - -	666		667	
373	A bill for the relief of Eleanor Clark, of Switzerland county, - - -	666	667-S		
375	A bill to authorize the sheriff of Lawrence county to serve process issued by justices of the peace in certain cases, - - -	693	696	855	
376	A bill to re-open a road in Cass county, - - -	693	696		
377	A bill conferring the power upon the voters of Wayne township, Henry county, to determine the question of "license," or "no license," - - -	728	730	855	
378	A bill to change the time of holding probate courts of Dearborn county, - - -	693	696	855	
379	A bill to vacate a certain state road in Dekalb county, - - -	693	696	855	
380	A bill to extend the March and June sessions of the board of county commissioners of Cass county, - - -	693	696	855	
382	A bill to change the name of the town of Harrisburgh, in Hendricks county, - - -	693		696	

383	A bill to repeal an act, passed January 15, 1844, so far as relates to Fairfield township, in Tippecanoe county, -	693	696
384	A bill relative to the acknowledgment and recording of deeds heretofore made and recorded, -	864	865
385	A bill to incorporate the town of Greenfield, in Hancock co., -	874	875
386	A bill to amend an act entitled "an act to incorporate the Cross Plains and Laughery Turnpike Company," approved Jan. 15, 1849, -	728	730
387	A bill to extend an act entitled "an act more effectually to prevent the retailing of spirituous liquors in certain counties therein named," approved Jan. 16, 1849, -	729	730
388	A bill for a plank road from New Castle, in Henry county, to Dublin, in Wayne county, -	805	762
390	A bill to authorize the Governor to appoint a Private Secretary, -	729	855
392	A bill in relation to the wardens and vestrymen of the Protestant Episcopal Church, -	729	730
393	A bill to change the time of convening the legislature of 1850, -	729	730
394	A bill declaring the meaning of section 11, of chapter 4, of the Revised Statutes of 1843, -	729	803
395	A bill to amend an act entitled "an act to provide for the election of township assessors in the counties therein named, and defining their duties," approved January 27, 1847, so far as relates to the county of Monroe, -	729	855
396	A bill for the relief of the late firm of B. G. Cutter and John H. Cutter, -	871	855
397	A bill to incorporate the Clinton county steam mill company, -	729	872
398	A bill to incorporate the Indianapolis and Brownsburgh Plank Road Company, -	729	735

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
401	A bill defining the duties and fixing the compensation of the prosecuting attorney of Tiptecanoe county, -	872		873	
404	A bill to incorporate the town of Liberty, in Union county, -	729		735	
405	A bill changing the time of holding the Hancock circuit court from the second Mondays in February and August to the fourth Mondays in March and September, -	729	735, 856	867	
406	A bill respecting sinking fund mortgages, -	864		865	
407	A bill to incorporate the Mt. Carmel and Owensville Turnpike Company, -	805		862	
409	A bill to legalize a certain order of the Knox probate court, -	805		862	
410	A bill to vacate the town of Baltimore, in the county of Warren, -	805		862	
411	A bill to incorporate the Fort Wayne and Columbia Plank Road Company, -	874		875	
412	A bill for the relief of the estate of William Harris, deceased, late of the county of Martin, -	805		862	
413	A bill to extend the time of collecting delinquent taxes in Elkhart county, -	805		862	
414	A bill to repeal an act relating to the jurisdiction of justices of				

415	the peace in the several counties therein named, so far as re- lates to the county of Gibson, - - -	805	862
416	A bill to amend an act entitled "an act to incorporate the Franklin and White River Turnpike Company, - - -	863	863
417	A bill to amend an act therein named, - - -	872	872
418	A joint resolution on the subject of slavery, - - -	877	
	A bill to authorize Jeremiah T. Draper to file his bill for a divorce in the Hancock circuit court, - - -	864	865
419	A bill to enable the qualified voters of district No. 8, in town- ship No. 33 north, of range No. 7 east, to levy a tax in said district sufficient to build a school house, - - -	864	865
420	A bill to vacate certain blocks, streets, and alleys, in Michigan City, Laporte county, - - -	864	865
422	A bill to authorize Charity Ann Wise to file a bill for a di- vorce, - - -	864	865
423	A bill to amend the Genral Plank Road Law, - - -	872	873
426	A bill to repeal an act in relation to the Seminary fund of Tip- pecanoe county, - - -	872	873
427	A bill to incorporate the German Theological Seminary of the German Evangelical Lutheran Synod of Missouri, Ohio, and other States, - - -	874	875
428	A bill to regulate the time for civil and chancery business of the Marion and Hancock circuit courts, - - -	872	873
429	A bill changing the time of holding the May term of the probate court of Monroe county, for the year 1850, - - -	872	874
430	A bill to incorporate the Harrison Draw Bridge Company, - - -	882	882
431	A bill to extend an act entitled "an act to incorporate the town of Peru," approved February 14, 1848, to the town of Ver- non, - - -	874	875

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
432	A bill to legalize the location of a State road in Franklin and Ripley counties, - - -	874		875	
433	A bill to amend section 13 of an act to increase and extend the benefits of common schools within the counties therein named, - - -	877		877	
434	A bill to prohibit the sale of intoxicating liquors in the town of Plainfield and vicinity, in Hendricks county, - - -	877		877	

BIRD, OCHMIG

Appeared and was qualified, -	-	-	-	-	3
Petitions presented by, -	-	-	-	101, 292,	511
Reports made by, -	-	-	-	273, 274,	429
Resolutions offered by, -	-	-	-	9, 101,	237
Bills introduced by, -	-	-	39, 83, 112, 307,	495,	759
Motions made by, -	101, 234, 237, 354, 495, 519, 567,	583,	652		

BLAKE, JAMES

Elected one of the Commissioners for the Hospital for the Insane, -	-	-	-	-	556
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BONDHOLDERS

Memorial of, -	-	-	-	-	39
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BOONE, ANDREW J.

Elected Assistant Clerk, -	-	-	-	-	6
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BOWEN, JOHN H.

Appeared and was qualified, -	-	-	-	-	4
Resolutions offered by, -	-	-	-	-	132
Bills introduced by, -	-	-	-	167, 213,	426
Motions made by, -	-	-	-	-	336, 425

BROWN, JAMES (*of Randolph*)

Appeared and was qualified, -	-	-	-	-	5
Petitions presented by, -	-	-	101, 290, 341, 368, 467,	469	
Reports made by, -	-	-	124, 299, 370-1-2-3, 387, 405, 406, }		
			432-3, 516, 517, 522, 592-3, 636, }		
			723-4, 778, 779, 784, 814, 830		
Resolutions offered by, -	-	-	-	82, 107	
Bills introduced by, -	-	33, 34, 36, 53, 188, 306, 495, 645,	850		
Motions made by	87, 109, 233, 295, 353 390, 448, 461, 481-2, }				
	497, 503, 540, 541 562, 611, 651, 670, 818 }				
Added to the committee on the judiciary, -	-	-	-	-	342

BROWN, GEO. W. (*of Shelby*)

Appeared and was qualified, -	-	-	-	-	5
Petitions presented by, -	-	-	-	209, 367, 381	
Reports made by, 121, 148, 174, 243-4, 425, 428, 515-16, 706, 840					
Resolutions offered by, -	-	-	-	-	451, 753
Motions made by, 7, 35, 37, 55, 62, 86, 87, 89, 92, 96, 105, 112, 164, 168, 257, 357, 358, 361, 388, 423, 425, 426, 428, 444, 574, 586, 668, 694, 724, 725, 771, 777, 797, 821					
Leave granted to withdraw a petition, -	-	-	-	-	882

BURNET, LYNAS A.

Appeared and was qualified, -	-	-	-	-	5
Petition presented by, -	-	-	-	-	367
Reports made by, -	-	272, 562, 638, 655, 689-90, 743-4			
Bills introduced by, -	-	-	-	256, 606	
Motions made by, -	-	-	256, 310, 422, 534, 562, 606		
Leave of absence granted to, -	-	-	-	-	756

BUSINESS

Order of, -	-	-	-	-	-	50
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BUTLER, OLIVER

Appeared and was qualified, -	-	-	-	-	5
Petitions presented by, -	-	-	-	90, 264, 325, 365	
Reports made by, -	-	-	-	556-7, 714 to 723	
Resolutions offered by, -	-	-	-	-	13, 131
Joint resolutions introduced by, -	-	-	-	-	109, 754
Bills introduced by, -	-	-	-	344, 642, 644, 756	
Motions made by, 58, 114, 164, 345, 418, 460, 509, 521, 525, 535, 556, 569, 570, 650, 737, 757, 766, 793, 795, 852					
Returned sundry temperance memorials, -	-	-	-	-	914

BYERS, EPHRAIM

Appeared and was qualified, -	-	-	-	-	4
Petitions presented by -	-	-	-	264, 454, 468, 544	
Motions made by, -	-	-	-	-	501, 542

C.

CALDWELL, JAMES G.

Appeared and was qualified, -	-	-	-	3
Petitions presented by, -	-	-	239, 240, 264, 510	
Reports made by, -	-	-	180, 292-3, 376, 389	
Resolution offered by, -	-	-	-	82
Motions made by, -	-	-	13, 51, 87, 389, 741, 755	

CALLS OF THE HOUSE.

Ordered, 311, 444, 450, 487, 503, 523, 526, 586, 605, 704, 920	
Absentees entered on the journal, - - - -	920

CAMPBELL, WILLIAM

Appeared and was qualified, -	-	-	-	4
Petitions presented by, -	-	-	141, 194, 239, 240, 397	
Reports made by, -	-	-	-	329, 592
Resolution offered by, -	-	-	-	95
Bill introduced by, -	-	-	-	644
Motions made by, -	-	-	-	289, 560, 561
Leave of absence granted, -	-	-	-	751

CARNAHAN, ANDREW M. (*of Fountain*)

Appeared and was qualified, -	-	-	-	4
Petitions presented by, -	-	-	90, 168, 209, 264, 324, 507 809	
Reports made by, 147, 173, 174, 196, 268, 292, 373, 384-5, 400,)				
401, 403-4, 441, 513, 514, 515, 548, 557-8, {				
598 to 602, 707, 852, 877-8-9, 881)				
Resolutions offered by, -	-	-	80, 303, 343, 436	
Joint resolution introduced by, -	-	-	-	186
Bills introduced by, -	-	-	276, 305, 491, 495, 606, 642, 756	
Motions made by, 120, 175, 192, 288, 318, 394, 419, 495, 507,)				
557, 589, 606, 611, 615, 648, 818, 852, 877, {				
889)				
Leave granted to withdraw a petition, -	-	-	-	883

CARNAHAN, MAGNUS T. (*of Posey*)

Appeared and was qualified, -	-	-	-	-	5
Petitions presented by, -	-	-	-	-	238, 453
Reports made by, -	-	-	-	150, 597,	714
Resolutions offered by, -	-	-	-	489, 771,	906
Joint resolutions introduced by, -	-	-	-	-	109, 186
Bills introduced by, -	-	-	-	-	331, 496
Motions made by, 15, 37, 39, 57, 116, 118, 202, 250, 260, 281,)					
284, 328, 329, 346, 358, 408, 416, 463, 465,)					
501, 506, 520, 532, 534, 566, 649, 694, 700,)					
714, 771, 793, 800, 801, 825, 906)					
Leave granted to withdraw a petition, -	-	-	-	-	883

CARR, GEORGE W.

Appeared and was qualified, -	-	-	-	-	4
Elected Speaker, -	-	-	-	-	6
Petitions presented by, -	-	-	-	142, 367,	438
Joint resolution introduced by, -	-	-	-	-	725
Bills introduced by, -	-	-	-	-	302, 574
Motions made by, -	-	-	-	302, 574, 700,	725
[See under the head Speaker.]					

CENTRAL CANAL.

Report of the Superintendent of the Northern Division, -	139
John Givens elected Superintendent of, -	634-5

CHANDLER, ROBERT A.

Appeared and was qualified, -	-	-	-	-	5
Petitions presented by, -	93, 173, 239, 265, 508, 577,	816			
Reports made by, 123, 173, 195, 201, 211, 514, 546, 549, 593-4, }					
639, 663, 706-7, 707-8, 838 }					
Resolutions offered by, -	13, 83, 84, 184, 754, 790,	880			
Joint resolutions introduced by, -	-	33, 134, 254,	276		
Bills introduced by, 53, 83, 134, 135, 202, 278, 506, 520, 532, }					
534, 641, 759, 820, 861 }					
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CHAPMAN, JACOB P.

Elected State Printer,	-	-	-	-	456
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CLEAVER, JOHN

Appeared and was qualified,	-	-	-	-	4
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CLERK, ASSISTANT

Andrew J. Boone elected,	-	-	-	-	6, 7
Vote of thanks to,	-	-	-	-	849

COLE, ALPHONSO A.

Appeared and was qualified,	-	-	-	-	4
Petitions presented by,	229, 290, 291, 326, 341, 367, 453, 511,				} 545, 676
Reports made by,	342-3, 482, 488-9, 584-5-6, 595, 640, 682,				
					} 685, 708-9, 781
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CONAWAY, DANIEL

Appeared and was qualified, -	-	-	4
Petitions presented by, -	-	-	76, 77, 167, 366
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CONNOR, FREDERICK

Appeared and was qualified, -	-	-	5
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COTTON, JOHN S.

Appeared and was qualified, -	-	-	4
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CRAVENS, JAMES A.

Appeared and was qualified, -	-	-	-	-	5
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		501, 531, 534, 540, 565, 571, 574-5, 616, }			
		652, 670, 723, 730, 742, 756, 836 }			

D.

DEFREES, JOSEPH H.

Appeared and was qualified, -	-	-	-	-	4
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DELAN, ALFRED M.

Appeared and was qualified, -	-	-	-	-	4
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					730, 798 }

DODD, JOHN W.

Appeared and was qualified, -	-	-	-	-	4
Petitions presented by, -	366, 381, 381-2, 382, 578, 677				
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					615, 633, 702, 740, 742, 767, 801, 823, 888 }
Leave of absence granted to, -	-	-	-	-	300, 756

DOOR KEEPER.

David Cody elected, - - - - - 7-8

DOUGHERTY, LORENZO C. (*of Boone.*)

Appeared and was qualified, - - - - - 3
 Petitions presented by, - - - - - 208, 365, 397
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 448, 459, 461, 475, 506-7, 525, 531, 615, 633, }
 702, 740, 742, 767, 801, 823, 888 }

DOUGHERTY, MICHAEL C. (*of Elkhart.*)

Appeared and was qualified, - - - - - 2
 Reports made by, - - - - - 164, 329, 457
 Resolutions offered by, - - - - - 107
 Bills introduced by, - - - - - 38, 817
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DRAKE, JAMES P.

Elected Treasurer of State, - - - - - 79

DUNLAP, L.

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DUNN, HON. GEORGE H.

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E.

EDWARDS, WILLIAM K.

Appeared and was qualified, -	-	-	-	-	5
Petitions presented by, -	-	-	89, 166, 210, 368, 398, 399		
Reports made by, 122, 145, 169, 172, 174, 210, 268, 270, 292, 304					}
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514, 515, 546, 587, 705-6, 708, 780, 811, 889					
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375, 377, 380, 388, 395, 400, 408, 409, 420, 447,					
450, 499, 502, 513, 530, 533, 542, 571, 588, 589,					
657, 671, 684, 727, 732, 741, 754, 757, 758, 789,					
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ELDER, JAMES

Appeared and was qualified, -	-	-	-	-	5
Petitions presented by, -	-	-	-	142, 193, 340, 509	

Reports made by,	269-70, 388, 427-8, 443-4, 511, 579, 589, {	
	659-60, 677, 681, 783, 813, 814, 839, 882 }	
Resolutions offered by,	- - - -	425, 490
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ELDER, JOHN R.

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ELLIS, EVAN

Appeared and was qualified,	- - - - -	4
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Resolution offered by,	- - - - -	201
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ELLIS, ERASTUS W. H.

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ESSEX, THOMAS

Appeared and was qualified,	- - - - -	3
Petitions presented by,	- - - - -	427, 469
Reports made by,	- - - - -	591-2
Bills introduced by,	- - - - -	135, 737
Motions made by,	- - - - -	259, 572, 655, 737
Leave of absence granted to,	- - - - -	297

F.

FARNSLEY, JOSHUA P.

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	381, 510
Reports made by,	- 297, 375, 386-7, 404-5, 405-6, 474, 520, {	
	590, 679-80, 680, 710, 750, 777	}

Resolution introduced by,	-	-	-	-	212
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G.

GENTRY, LEMUEL

Appeared and was qualified,	-	-	-	-	4
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Resolution offered by,	-	-	-	-	212
Joint resolution introduced by,	-	-	-	-	276
Bills introduced,	-	-	-	37, 135, 337, 490, 642	
Motions made by,	-	-	-	58, 135, 187, 302, 547, 668, { 694, 712, 738, 820, 863, 874 }	

GESSIE, ROBERT J.

Appeared and was qualified,	-	-	-	-	5
Petitions presented by,	-	-	-	89, 193, 397,	509
Reports made by,	-	-	-	126, 211, 480, 590,	898-9
Resolution offered by,	-	-	-	-	14
Bills introduced by,	-	-	-	36, 186, 490, 561,	643
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GIVENS, JOHN

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GOODWIN, BENJAMIN

Appeared and was qualified,	-	-	-	-	4
Petitions presented by,	-	-	-	-	40, 549
Reports made by,	-	-	-	-	410, 428-9
Resolutions offered by,	-	-	-	-	231, 424, 455
Bills introduced by,	-	-	-	-	83, 112, 187, 643, 725
Motions made by,	177, 231, 279, 295, 336, 359, 393, 404, 424,	{			
	455, 505, 710, 724, 725, 731, 741, 775,	{			

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GRAVES, WILLIAM C.

Appeared and was qualified,	-	-	-	-	4
Petitions presented by,	-	-	77, 78, 239, 291, 439, 440, 748		
Reports made by,	106, 122, 130, 145, 196, 272-3, 482, 709, 747-8, 786				
Resolution offered by,	-	-	-	-	96
Joint resolutions introduced by,	-	-	-	-	289
Bills introduced by,	-	-	-	-	33, 757
Motions made by	54, 58, 138, 19, 235, 257, 262, 289, 308, 310,)				
	311, 342, 344, 395, 447, 466, 469, 531, }				
	569, 574, 610, 612, 727, 759, 786, 804 }				
Added to the committee on enrolled bills,	-	-	-	-	696

GREATHOUSE, WILLIAM R.

Appeared and was qualified,	-	-	-	-	5
Petitions presented by,	-	-	-	120, 264, 468, 578	
Reports made by,	-	-	-	184, 594-5, 789-90	
Resolutions offered by,	-	-	-	-	395
Bills introduced by,	-	-	39, 83, 84, 213, 494, 496, 643		
Motions made by,	223, 284, 312, 359, 360, 361, 393, 492, 657, }				
	679, 694, 808, 808-9, 829, 830 }				
Added to the temperance committee,	-	-	-	-	339
Excused from serving on the temperance committee,	-	-	-	-	345

H.

HARNEY, JAMES F.

Appeared and was qualified,	-	-	-	-	4
Reports made by	-	-	-	196, 298, 591, 839-40	
Resolutions offered by,	-	-	-	-	69, 881
Joint resolutions offered by,	-	-	-	-	186, 755
Bills introduced by,	-	-	-	-	53, 112, 380
Motions made by,	191, 234, 263, 326, 334, 380, 460, 466, 506, 543, }				
	571, 573, 591, 612, 674, 829, 881 }				

HART, GIDEON B.

Appeared and was qualified,	-	-	-	-	3
Reports made by,	149, 196-7, 197-8, 293, 374, 409, 442, }				
	518, 581, 582, 750, 839 }				
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Motions made by, - - -	53, 118, 358, 409, 572
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HARVEY, THOMAS

Appeared and was qualified, - - -	4
Petitions presented by, - - -	208, 239
Reports made by, - - -	637
Motions made by, - - -	360, 572

HICKS, GILDEROY

Appeared and was qualified, - - -	4
Petitions presented by, - - -	240, 382, 676
Reports made by, 121, 144, 177-8, 266, 301, 327, 370, 383, 440, 442, } 457, 469 to 472, 479, 512, 512-13, 546, 580, 678, } 703-4, 705, 776, 782-3, 837, 865-6, 867-8-9, 870 }	
Resolutions offered by, - - -	81
Joint resolution introduced by, - - -	185
Bills introduced by, - - -	643, 792
Motions made by, 56, 85, 116, 137, 166, 188, 191, 281, 284, } 415, 448, 464, 613, 652, 730, 795, 798, } 823, 826, 848, 865, 867, 905 }	
Leave granted to withdraw a petition, - - -	676

HILL, HENRY B.

Appeared and was qualified, - - -	8
Petitions presented by, - - -	365, 397
Reports made by, - - -	149, 211, 293, 412, 432, 665
Resolution offered by, - - -	185
Bill introduced by, - - -	358
Motions made by, - 176, 282, 358, 364, 386, 541, 588, 615, } 636, 564, 771, 777, 798, 821 }	
Leave of absence granted to, - - -	78, 307

HILLIS, WILLIAM C.

Appeared and was qualified, - - -	4
Reports made by, - - -	429, 883
Bills introduced by, - - -	202, 213, 494
Motions made by, 130, 148, 249, 307, 355, 414, 417, 426, 431, 450, } 458, 504, 507, 519, 523, 552, 609, 611, 666, } 670, 674, 691, 695, 698, 700, 714, 730, 731, } 732, 736, 741, 742, 760, 771, 771-2, 790, } 812, 828, 860, 907 }	

HOLCOMB, SAMUEL M.

Appeared and was qualified, -	-	-	-	-	4
Petitions presented by, -	-	-	-	238, 397, 578, 676	
Reports made by, -	-	-	-	-	433, 785-6
Resolutions offered by, -	-	-	15, 96, 185, 210, 236, 754		
Bills introduced by, -	-	-	337, 491, 497, 524, 644, 792		
Motions made by, -	176, 234, 236, 250, 279, 360, 377, 417.				
			464, 491, 501, 524, 525, 526, 528.		
			643, 666, 669, 758, 782, 798, 817		

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HUEY, ROBERT

Appeared and was qualified, -	-	-	-	-	3
Petitions presented by, -	121, 167, 239, 264, 290-1, 368, 399.				
				439, 510	
Reports made by, -	-	198, 304, 512, 638, 639, 685-6, 840			
Bills introduced by, -	-	-	-	-	277, 820
Motions made by, -	-	-	359, 571, 667, 688, 711, 801		

HUMPHREYS, ANDREW

Appeared and was qualified, -	-	-	-	-	4
Petition presented by, -	-	-	-	-	399
Reports made by, -	-	-	-	-	445, 840
Bills introduced by, -	-	-	-	-	42, 188, 497
Motions made by, -	-	570, 588, 725, 789, 798, 825, 828, 829			
Leave of absence granted to, -	-	-	-	-	698

HUNTER, ISAAC W.

Appeared and was qualified, -	-	-	-	-	30
Petitions presented by,	172, 194, 209, 326, 369, 454, 469, 690-	1			
Reports made by,	244, 442, 475, 481, 591, 712-13, 776-7, 867, 919				
Resolutions offered by,	-	-	-	52, 436, 602, 919,	
Bills introduced by,	53, 135, 186, 188, 306, 425, 494, 497, 561,			642, 757,	
Motions made by,	141, 191, 244, 279, 181, 298, 346, 347, 360, 386,			415, 425, 561, 569, 692, 609, 647, 663, 680,	
	690, 695, 731, 817, 819, 856, 864, 867, 885, 888,			910, 911, 920,	
Leave granted to withdraw a petition,	-	-	-	-	673

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JOHNSON, SAMUEL H.

Appeared and was qualified, -	-	-	-	-	5
Petitions presented by,	-	-	-	-	368, 578
Bills introduced by,	-	-	-	60, 187, 188, 276, 493, 644	
Motions made by,	360, 361, 451, 465, 493, 541, 611, 764, 830				

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W. W. Wick elected Judge of the 5th Judicial Circuit,	-	103
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KEENEY, RUFUS D.

Appeared and was qualified,	-	-	-	-	4
Petitions presented by,	-	-	-	-	41, 676
Bills introduced by,	-	-	-	-	380, 491, 642
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KING, JOHN W.

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KNOWLTON, HIRAM

Appeared and was qualified,	-	-	-	-	5
Petition presented by,	-	-	-	-	264
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Motions made by,	132, 175, 192, 193, 388, 492, 503, 570, 730, {				794, 802, 831 }

L

LANDISS, JOHN

Appeared and was qualified,	-	-	-	-	4
Bills introduced by,	-	-	-	-	425, 492
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LANE, HIGGINS

Appeared and was qualified,	-	-	-	-	4
Petition presented by,	-	-	-	-	341
Reports made by,	-	-	-	301, 479, 888-9	
Joint resolutions introduced by,	-	-	-	52, 82, 305	
Bills introduced by,	-	-	-	112, 213, 393, 791, 823	
Motions made by	37, 39, 55, 87, 92, 115, 118, 136, 137, 171, 175,	}			
	182, 190-1, 233, 260, 283, 301, 311, 345, 379,				
	380, 393, 394, 424, 451, 464, 475, 487, 519, 524,				
	526, 529, 533, 536, 567, 568, 569, 572, 659, 684,				
	699, 764, 795, 823, 887				
Leave of absence granted to,	-	-	-	-	324

LANE, JAMES H.

Declared elected Lieutenant Governor,	-	-	-	-	31
Oath administered to,	-	-	-	-	42

LANK, ELZA

Appeared and was qualified,	-	-	-	-	5
Petitions presented by,	-	78, 104, 167, 340, 427, 467, 469			
Report made by,	-	-	-	-	590
Resolution offered by,	-	-	-	-	130
Bill introduced by,	-	-	-	-	53
Motions made by,	-	-	-	-	332, 523

LEVISTON, JAMES

Appeared and was qualified,	-	-	-	-	5
Petition presented by,	-	-	-	-	77
Reports made by,	94, 123, 124 125, 199, 250-1, 298, 299, 385,	}			
	386, 404, 473-4, 519, 521, 679, 680, 680-1,				
	750, 777, 813				
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Motions made by,	-	-	-	-	134, 199, 356, 530-1

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James H. Lane declared elected,	-	-	-	-	31
Oath of office administered to,	-	-	-	-	42

LORD, JOHN M.

Elected principal Clerk,	-	-	-	-	-	6
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M.

MAY, ALLEN

Elected Agent of State,	-	-	-	-	-	552
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MAY, EDWARD R.

Appeared and was qualified,	-	-	-	-	-	4
Petitions presented by,	-	-	167, 291, 381, 398,	748-9		
Reports made by,	106, 149, 178, 179, 310, 328, 342, 427, 437,					
	438, 466, 675, 690, 772, 783, 812, 897-8					
Resolution offered by,	-	-	-	-	-	231
Bills introduced by,	-	-	-	60, 112, 214,	496	
Motions made by,	-	-	84, 151, 231, 278, 423,	615, 698		

McCARTY, WILLIAM M.

Elected President Judge of the 13th Judicial Circuit,	-	634
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McGINLEY, PATRICK

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MENAUGH, JOHN L.

Appeared and was qualified,	-	-	-	-	5
Petitions presented by,	-	-	-	38, 90,	544
Report made by,	-	-	-	-	182-3
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	352, 353, 363, 378, 392, 416, 425, {	
	447, 452, 459, 467, 499, 500, 502, {	
	508, 535, 536, 539, 543, 562, 563, {	
	564, 567, 569, 575-6-7, 607-8, {	
	610-11, 616, 645, 646, 648, 653, {	
	655-6-7, 665, 666, 668, 691-2-3, {	
	701, 726, 728-9, 744-5-6, 749, {	
	804, 805, 807, 808, 810, 819-20, {	
	836, 856, 863, 863-4, 870, 871, 871 {	
	-2, 874-5, 875, 876-7, 877, 879, {	
	879-80, 883-4, 884, 885, 886-7, {	
	887, 888, 889, 890-1, 891, 891-2, {	
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MICKLE, SAMUEL S.

Appeared and was qualified, - - - -	3
Petitions presented by, - 76, 93, 101, 234-5, 325, 367, 397, 398-	

Reports made by,	106, 142, 151, 183, 243, 265, 266, 382, 399,	}
	413-14, 431-2, 512, 545, 580, 592, 617	
	to 633, 661-2-3, 703, 780	
Resolutions offered by,	- - - 9, 15, 40, 61, 78, 343	
Bills introduced by,	- - - 30, 135, 202, 213, 214, 756	
Motions made by,	5, 10, 11, 31, 35, 37, 41, 51, 56, 60, 61, 75, 78, 86,	}
	98, 112, 115, 116, 136, 143, 175, 176, 177, 202,	
	225, 233, 259, 261, 263, 283, 312, 342, 356, 359,	
	361, 475, 513, 416, 418, 419, 434, 444, 460, 463,	
	462, 525, 529-30, 545, 549, 263, 573, 574, 579,	
	612, 614, 659, 666, 698, 711, 731, 754, 761, 791,	
	815, 818, 823, 872	
Leave granted to withdraw a petition,	- - - 676	
Chosen Speaker <i>pro tem</i> ,	- - - 823	

MILLER, HUGH (*of Marshall and Fulton.*)

Appeared and was qualified,	- - - -	4
Petitions presented by,	89, 90, 93, 194, 291, 292, 324, 365,	}
	453, 468, 544, 545	
Reports made by,	- - 409, 592, 636, 639, -40, 752, 784-5	
Resolutions offered by,	- - - - 51, 303	
Bills introduced by,	- - - 426, 493, 495, 497	
Motions made by,	181, 233, 252, 281, 291, 292, 303, 358, 393, 394,	}
	409, 426, 463, 493, 532, 649, 672, 881	

MILLER, JAMES F. (*of Owen.*)

Appeared and was qualified,	- - - -	4
Petition presented by,	- - - -	366
Report made by,	- - - -	776 to 789
Resolution offered by,	- - - -	275
Bills introduced by,	- - - -	492, 496
Motions made by,	- - - -	496, 568, 588, 827
Leave of absence granted to,	- - - -	306

MILLIKAN, WILLIAM

Appeared and was qualified,	- - - -	4
Petitions presented by,	- - - -	120, 141, 167
Reports made by,	- - - -	654, 746-7, 897
Resolutions offered by,	- - - -	13, 37, 81
Joint resolution introduced by,	- - - -	134
Bill introduced by,	- - - -	497
Motion made by,	- - - -	217

MORRISON, ALONZO A.

Appeared and was qualified,	-	-	-	-	5
Petitions presented by,	-	-	-	38, 453, 463	
Report made by,	-	-	-	-	483
Resolutions offered by,	-	-	-	11, 38, 132, 849	
Joint resolution introduced by,	-	-	-	-	108
Motions made by,	-	-	-	57, 79, 191, 560, 798, 883	

MURRAY, CHARLES D.

Appeared and was qualified,	-	-	-	-	3
Petitions presented by,	-	-	101, 325, 398, 439, 511, 579		
Reports made by,	-	-	126, 182, 251-2, 252, 299, 482, 520		
Resolutions offered by,	-	-	51, 95, 103, 300, 327, 613,		
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By Mr. Salter, House bill No. 514,	-	-	753
By Mr. Alley, on Senate bill No. 295,	-	-	753
By Mr. Cole, on House bill No. 431,	-	-	781
By Mr. Gentry, on the petition of E. Myers, W. Buskirk, and others,	-	-	782
By Mr. Holcomb, on Senate bill No. 365,	-	-	782
By Mr. Hicks, on the petition of citizens of Johnson county, asking for the passage of a law reinstating the office of auditor of said county,	-	-	782-3
By Mr. Elder, on the petition of citizens of Cambridge City,			783
By Mr. May, House bill No. 537,	-	-	783
By Mr. Wier, on House bill No. 336,	-	-	783
By Mr. Brown of Randolph, on petitions of citizens of Elkhart and Posey counties, relative to homestead exemption,			784
By Mr. Miller of M. and F., on House bill No. 391,	-	-	784
By Mr. Wells, House bill No. 538,	-	-	785
By Mr. Holcomb, House bill No. 539,	-	-	786
By Mr. Graves, on House bill No. 348,	-	-	786
By Mr. Miller of Owen, on joint resolution of the Senate No. 101,	-	-	786 to 789
By Mr. Athon, on the petition of citizens of Clark county, relative to the negligence on the part of the New Albany and Salem Railroad Company,	-	-	790
By Mr. Connor, on Senate bill No. 255,	-	-	814
By Mr. Mickle, on a resolution in relation to an insinuation that a member ordered more stationery than necessary,	-	-	815
By Mr. Connor, on House bill No. 369,	-	-	815
By Mr. Orr, on the petition of Andrew Knapp and others, of Delaware county,	-	-	815
By Mr. Wilson, joint resolution of the House No. 551,	-	-	817
By Mr. Harney, on Senate bill No. 287,	-	-	839-40
By Mr. Brown of Shelby, on the petition of ladies of Shelbyville,	-	-	840
By Mr. Huey, on the petition of citizens of Jay county, relative to an additional road tax,	-	-	840
By Mr. Humphreys, on Senate bill No. 216,	-	-	840
By Mr. Dougherty of Boone, on joint resolution of the House No. 540,	-	-	851-2
By Mr. Carnahan of Fountain, on the petition of William Smally and others,	-	-	852
By Mr. Alley, on Senate bill No. 367,	-	-	864
By Mr. Hunter, on Senate bill No. 405,	-	-	867
By Mr. Robson, on House joint resolution No. 563,	-	-	867
By Mr. Hicks, on examining and counting the bonds, coupons, &c.,	-	-	867-8-9

By Mr. Alley, on Senate bill No. 345,	-	-	-	870
By Mr. Niblack, on Senate bill No. 112,	-	-	-	872-3
By Mr. Alley, on Senate bill No. 179,	-	-	-	873
By Mr. Elder, on Senate bill No. 279,	-	-	-	882
By Mr. Hillis, on Senate bill No. 333,	-	-	-	883
By Mr. Hunter, that the joint select committee had waited on his Excellency the Governor, &c.,	-	-	-	919

REPORTS FROM COMMITTEES OF FREE CONFERENCE.

By Mr. Greathouse, on House bill No. 64,	-	-	789-90
By Mr. Cole, on Senate bill No. 4,	-	-	708-9
By Mr. Dodd, on Senate bill No. 4,	-	-	767
By Mr. Athon, on House bill No. 146,	-	-	889
By Mr. Edwards, on House bill No. 140,	-	-	889
By Mr. Lane, on Senate bill No. 112,	-	-	888-9

REPORTS FROM THE COMMITTEE OF THE WHOLE.

By Mr. Edwards, on House bill No. 2,	-	-	169, 172
By Mr. Allen, on the Governor's Message,	-	-	219 to 223
By Mr. Cravens, on House bill No. 425,	-	-	658

RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES.

1066

SUBJECT MATTER OF.

	<i>Introduced.</i>	<i>Mover's Name.</i>	<i>Adopted.</i>
Informing the Senate of the organization of the House,	-	Mr. Bird,	9
To appoint a committee to wait on the Governor,	-	Spencer,	9
Adopting the rules and joint rules of the last House,	-	Mickle,	9
To adjourn to meet the next day at 9 o'clock,	-	Mickle,	9
To count the votes cast for Governor and Lieutenant Governor,	-	Edwards,	10
Allowing the Reporters to occupy seats within the bar,	-	Dougherty of B.,	10
To appoint a committee to wait on Rev. Mr. Bayless and request him to open the session by prayer,	-		11
That the Door Keeper act as Sergeant-at-arms,	-	Cravens,	11
To proceed to the election of Agent of State on Friday,	-	Morrison,	11
Directing the Door Keeper to furnish each member with the journals, acts, &c., of last session,	-	Spencer,	11
Authorizing the Door Keeper to employ three assistants,	-	Prather,	11
Relative to the compensation of Clerks,	-	Mickle,	13
Instructing the Door Keeper to furnish each member with the acts of 1848,	-	Millikan,	13
Authorizing the Door Keeper to contract for newspapers,	-	Chandler,	13
Relative to abolishing the office of Agent of State,	-	Niblack,	13
Relative to furnishing members with the Revised Code and other laws,	-	Butler,	13
Relative to newspapers ordered by the House,	-	Chandler,	14
	-	Gessie,	14

To subscribe for such papers only as report the proceedings of the Legislature,	14	Mr. Dougherty of B.,	14
Inviting the Senate to attend in the hall of the House, &c.,	14	Edwards,	14
Inviting the Senate to attend in the hall of the House,	15	Ifolcomb,	15
Inviting the Senate to attend in the hall of the House,	31	Reed,	31
Ordering the printing of the Governor's Message,	31	Prather,	
Relative to printing the Governor's Message in German and English,	32	Allen,	
To appoint a committee to wait on the Governor and Lieutenant Governor			
elect, and inform them of their election,	32	Dodd,	32
Inviting the Senate to attend in the hall of the House,	33	Cravens,	33
Instructing the select committee relative to abolishing the office of Agent of			
State to report on a certain day,	34	Dougherty of B.,	34
Tendering the use of the Hall to the Higgins family,	36	Robson,	36
Making inquiries of the Auditor of State relative to the contingent expenses			
of the Agent of State,	36	Spencer,	36
Directing the Door Keeper to furnish copies of the rules,	37	Millikan,	
Ordering the Governor's Message to be printed,	38	Morrison,	
Inviting the Supreme Judges to attend the Inauguration,	40	Mickle,	40
Fixing a time to elect an agent of the New Albany and Vincennes Turnpike			
Road,	41	Nilblack,	
Inviting the Senate to attend in the hall of the House,	42	Weir,	42
Requesting the Superintendent of the New Albany and Vincennes Road to			
report at an early day,	51	Prather,	51
To elect a Bank Director,	51	Dodd,	51
Relative to the distribution of the 3 per cent. fund,	51	Murray,	51
Relative to the fees of the several township officers,	51	Miller of M. & F.,	51
Ordering the printing the Governor's Message and the Inaugural Address of			
Governor Wright,	51	Barker,	51
Referring the bill embracing the Constitutional Convention and all other mat-			
ters touching that question, to a select committee,	51	Sherrod,	51

SUBJECT MATTER OF.

	<i>Introduced.</i>	<i>Mover's Name.</i>	<i>Adopted.</i>
Granting the use of the Hall to W. S. Unthank,	52	Mr. Edwards.	52
Making inquiries of the Auditor of State relative to the incidental expenses of the Agent of State,	52	Defrees.	52
To proceed to the election of Superintendent of the Northern Division of the Central Canal,	52	Hunter.	52
Relative to amending the 5th article of the 25th chapter of the Revised Statutes,	52	Stone.	52
Relative to matters referred to standing committees,	57	Orr.	57
Making certain inquiries of the Auditor of State,	59	Prather.	59
Relative to the compensation of jurors before probate courts,	59	Lank.	59
As to the modification of the relief law,	59	Stone.	59
Relative to newspapers ordered by the House,	60	Spencer.	
Referring a portion of the Governor's Message to the committee on claims,	60	Harney.	
To amend the Statute relative to replevin,	61	Mickle.	61
Relative to the jurisdiction of justices of the peace in criminal cases,	61	Cravens.	61
Inviting the Senate to attend in the Hall of the House,	78	Mickle.	78
To appoint a committee to examine bonds,	78	Prather.	78
Referring the Governor's Message to the committee of the whole,	80	Carnahan of F.	80
Relative to re-fencing the Tippecanoe Battle Ground,	80	Patterson.	80

Relative to motions to suspend rules,	-	-	Withers.	81
Relative to the report of the New Albany and Vincennes Turnpike Road,	-	-	Niblack.	81
To consolidate all laws in relation to schools,	-	-	Athon.	81
Relative to amending road laws,	-	-	Hicks.	81
Relative to felony,	-	-	Millikan.	81
Ordering the printing of additional copies of the Governor's Inaugural Address,	-	-	Caldwell.	82
Relative to contracting for more copies of the German paper,	-	-	Brown of R.	82
Relative to drovers,	-	-	Delavan.	82
Asking the opinion of the Agent of State whether said office could be abolished,	-	-	Chandler.	83
Extending time for the select committee on the subject of abolishing the office of Agent of State, to report,	-	-	Chandler.	84
Inviting the Senate to attend in the Hall of the House,	-	-	Niblack	92
Relative to securities on appeal bonds,	-	-	Spencer.	94
Tendering the Hall of the House to the Higgins Family,	-	-	Murray.	95
To amend certain sections in the school law of the last session,	-	-	Spencer.	95
Instructing the Superintendent of the Northern Division of the Central Canal to report the amount of water rents due from each person,	-	-	Campbell.	95
Authorizing the committee of ways and means to employ a clerk,	-	-	Robinson of D.	95
Instructing the committee on corporations to report as soon as practicable on House bill No. 30,	-	-	Ross.	95
Relative to the election of supervisors by the qualified voters of the respective road districts,	-	-	Orr.	96
Relative to the distribution of the school funds,	-	-	Graves.	96
In relation to the necessity of passing an act declaring the school law in force in counties that voted in favor of the same,	-	-	Holcomb.	96
Making inquiries of the Auditor of State,	-	-	Warner.	96
Relative to bringing suits on official bonds,	-	-	Shepard.	96

SUBJECT MATTER OF

	<i>Introduced.</i>	<i>Mover's Name.</i>	<i>Adopted.</i>
To proceed to the election of Superintendent of the Northern Division of the Central Canal, - - - - -	101	Bird.	102
Inviting the Senate to attend in the Hall of the House, - - - - -	102	Dodd.	
Authorizing the select committee on the subject of abolishing the office of Agent of State to send for persons and papers, - - - - -	103	Murray.	103
On the subject of printing the Governor's Message, - - - - -	103	Wilson.	107
Expediency of selling out the Central Canal, - - - - -	107	Prather.	107
Relative to repealing the execution law, - - - - -	107	Dougherty of E.	108
Against the expediency of granting divorces by the Legislature, - - - - -	107	Brown of R.	108
To furnish a new desk for the Clerks of the House of Representatives, - - - - -	108	Wilson.	130
Tendering the use of the Hall to the Higgins Family, - - - - -	130	Allen.	130
Relative to the expenses incident to the settlement of estates, - - - - -	130	Lank.	131
To inquire into the constitutionality of the school law of the last session, - - - - -	131	Spencer.	131
Making certain inquiries of the Auditor of State relative to lands selected for the completion of the Wabash and Erie Canal, - - - - -	131	Warriner.	131
To extend the privileges of the State Library, - - - - -	131	Robson.	131
Relative to the expediency of abolishing the present probate system, - - - - -	131	Alley.	131
Relative to the Annual Report of the Auditor of State, &c., - - - - -	131	Butler.	

To inquire when the State Printer will furnish the Governor's Message printed in English and German, - - - - -	132	Knowlton.	132
Relative to prohibiting boards doing county business from subscribing stock to works of internal improvement, - - - - -	132	Bowen.	132
To print an additional number of rules of the House, - - - - -	132	Niblack.	132
Relative to the act to increase and extend the benefits of common schools, - - - - -	132	Thomas.	132
Relative to a general system of education, - - - - -	132	Morrison.	133
Relative to the apportionment of arms for the State of Indiana, - - - - -	132	Wilson.	133
On the subject of the scrip account of the Wabash and Erie Canal, - - - - -	133	Cole.	133
Relative to abolishing the office of township trustee, - - - - -	133	Dodd.	133
On the subject of the Georgia lands, - - - - -	133	Prather.	133
Relative to the constitutionality of the law allowing voters to vote for or against license to sell spirituous liquors, - - - - -	133	Connor.	133
In relation to repealing certain sections of the Revised Statutes of 1843, - - - - -	134	Wells.	134
To print additional copies of the report of the Auditor of State in relation to the incidental expenses of the Agent of State, - - - - -	148	Wilson.	148
In relation to the constitutionality of the law giving exclusive jurisdiction to justices of the peace in certain criminal cases, - - - - -	163	Niblack.	163
Making certain inquiries of the Trustees of Wabash and Erie Canal, - - - - -	163	Russell.	163
Relative to amending the road law of the last session, - - - - -	163	Rush.	163
Relative to selling the rents and profits of the Northern Division of the Central Canal, - - - - -	164	Spencer.	164
Relative to explaining the 8th section of the school law of last session, - - - - -	184	Knowlton.	184
Expediency of making administrators competent witnesses in suits for the estate they represent, - - - - -	184	Richardson.	184
On the subject of rents for water power on the Northern Division of the Central Canal, - - - - -	184	Chandler.	184
Relative to protecting the profession of physicians against quackery, - - - - -	185	Holcomb.	185
Relative to amending the 7th section of the school law of last session, - - - - -	185	Cole.	185

SUBJECT MATTER OF.		Introduced.	Mover's Name.	Approved.
To obtain the depositions of Cain Dockery from the State Librarian,	-	185	Mr. Wells,	185
On the subject of adopting trust laws, with a view of superceding the present mortgage laws,	-	185	Hill,	
Relative to the State Printer furnishing the Governor's Message and the Inaugural Address,	-	199	Withers,	
Relative to recording inventories,	.	201	Dougherty of B.,	201
On the subject of examining teachers of common schools,	.	201	Spencer,	201
Relative to district trustees,	.	201	Ellis,	201
To commit the Governor's Message to the committee of the whole,	.	208	Allen,	208
Directing the State Librarian to return the petition for the relief of citizens of Seminary township, Gibson county,	.	210	Holcomb,	210
Directing the Quarter Master General to report the number of public arms, their condition, &c.,	.	212	Gentry,	212
Requesting the Governor to return House bill No. 73,	.	212	Shelby,	212
Relative to establishing an Eye Infirmary near Harrisonville in the county of Martin,	.	212	Niblack,	212
Relative to compiling the road laws,	.	212	Farnsley,	212
On the subject of abolishing the office of adjutant general,	.	213	Warriner,	213
Relative to the jurisdiction of circuit courts,	.	213	Dodd,	213

Several resolutions referring certain portions of the Governor's Message to appropriate standing committees, and also referring other portions to select committees,	220 to 223	Com. of the Whole,	220 to 223
Directing the committee on claims to return to J. H. Cutter the petition in relation to the loss of a State bond,	230	Mr. Edwards,	230
Inquiring of the Superintendent of Common Schools relative to the school laws,	231	May,	231
Relative to the expenses in the arbitration of the case of Patrick McGinley <i>vs.</i> the State of Indiana,	231	Menaugh,	231
In relation to a change in the execution laws,	231	Goodwin,	231
Relative to tolls on the Northern Division of the Central Canal,	236	Holcomb,	236
Authorizing the committee on canals and internal improvements to send for persons and papers in relation to abolishing the office of superintendent of the Northern Division of the Central Canal,	237	Bird,	237
To send for persons and papers relative to the affairs of the Northern Division of the Central Canal,	253	Wilson,	253
To send for persons and papers in relation to the Georgia lands,	265	Com. Ways & Means,	265
Relative to granting divorces,	268	Com. Judiciary,	268
Authorizing the committee appointed to examine State bonds to employ a Clerk,	274	Mr. Wilson,	274
Relative to publishing the school laws,	274	Thom,	274
On the subject of amending the school law,	275	Ross,	275
To prevent the introduction of joint resolutions on the subject of slavery,	275	Miller of Owen,	275
To accept of the invitation of John Brough, President of the Madison and Indianapolis Railroad Company, to ride on the cars of said road,	288	Niblack,	288
Tendering thanks to John Brough, and accepting of his invitation, &c.,	296	Dougherty of B.,	297
To adjourn to meet on Thursday,	289	Dodd,	289
Allowing the reporters seats in the centre of the Hall,	297	Cravens,	297
To adjourn to meet on Thursday,	300	Murray,	297

SUBJECT MATTER OF.

<i>Introduced.</i>	<i>Mover's Name.</i>	<i>Adopted.</i>
Requesting the Governor to return to the House a bill to incorporate the Lafayette Insurance Company,	Mr. Miller of M. & F., Carnahan of F.,	303 303
In relation to newspapers ordered for the use of the House,		
Granting the use of the Hall to the Superintendent of the Deaf and Dumb Asylum, also to the Superintendent of the Blind Asylum, for the purpose of an exhibition,	Edwards,	305
Relative to amending the 73d section, chapter 7, article 4, of the Revised Statutes of 1843,	Russell, Murray,	305 343
To take up the orders of the at 2 o'clock, P. M., on each day,		
To adjourn <i>sine die</i> on the 12th of January, 1850,	Withers,	343
Relative to a geological survey of the State,	Carnahan of F., Mickle,	343 343
That no new business shall be introduced after Monday,		
On the subject of amending the execution laws,	Athon, Wilson,	343 369
Tendering the use of the hall to H. Diavalo Antonio,		
Relative to the exhibition of the pupils of the Institute for the education of the blind,	Cotton, Edwards,	380 388
Instructing the select committee on House bill No. 229 when to report,		
Tendering the use of the hall to the American Harmonists,	Greathouse, Prather,	395 396
Relative to letting out the State Printing to the lowest bidder,		

To go into the election of State Printer on Thursday, at 10 o'clock,	423	Mr. Sherrod,	423
Tendering the use of the Hall to C. B. Lehmanowski, a Polish exile,	424	O'Haver,	424
To adjourn over to Wednesday morning,	424	Goodwin,	
To adjourn <i>sine die</i> on the 14th of January,	425	Elder,	435
On the subject of providing for a system of registration laws,	435	Niblack,	435
To adjourn over to the next day,	435	Niblack,	
On the subject of the claims of Albert S. White and William W. Wick, as attorneys in the Beard case,	436	Hunter,	436
Relative to a general law for organizing corporations,	436	Carnahan of F.,	436
Relative to paying taxes,	436	Cravens,	
On the subject of establishing a State Agricultural Board,	436	Hunter,	436
On the subject of license for the retail of spirituous and fermented liquors,	436	Connor,	436
To discharge a select committee from the further consideration of House bill No. 229,	447	Edwards,	447
Directing the committee on corporations to report the next day on House bill No. 309,	447	Robinson of D.,	
To adjourn to meet at 7 o'clock,	448	Weir,	
Tendering the use of the Hall to the Superintendent of the Deaf and Dumb Asylum,	451	Brown of S.,	451
Directing the committee on ways and means to report <i>instanter</i> on the resolution relative to letting out the State printing to the lowest bidder,	455	Goodwin,	455
Inviting the Senate to attend in the Hall of the House,	455	Dodd,	489
Inquiring relative to the incidental expenses of former Agents of State,	489	Carnahan of F.,	
On the subject of amending the law for the collection of debts,	490	Elder,	551
Inviting the Senate to attend in the Hall of the House,	551	Niblack,	
To hold night sessions,	579	Withers,	
Relative to the amount due Samuel J. Patterson for work done upon the Northern Division of the Central Canal,	602	Hunter,	602
Fixing a time to elect a President Judge of the 13th Judicial Circuit,	606	Ross,	607

SUBJECT MATTER OF

SUBJECT MATTER OF		Introduced.	Mover's Name.	Adopted.
Relative to the transportation of volunteers engaged in the Mexican war,	613	Mr. Murray,	613	
Inviting the Senate to attend in the Hall of the House,	633	Dodd,	633	
Relative to amending the charter of the city of Indianapolis,	639	Dodd,	639	
Relative to changing the time of closing the polls at elections,	702	Wright,	702	
Changing the time of the meeting of the House,	702	Shepard,	702	
On the subject of granting leave of absence,	753	Reed,	753	
Amending the rules,	753	Brown of S.,	753	
On the subject of the use of stationery for members of the House,	754	Spencer,	754	
Relative to the mileage of members of the General Assembly,	754	Holcomb,	754	
To hold night sessions,	754	Chandler,	754	
Relative to the reduction of the fees of all county officers,	754	Cole,	771	
Tendering the use of the Hall to the Rev. A. B. Smolnikar,	771	Carnahan of P.,	790	
On the subject of amending the law concerning bills of exceptions,	790	Niblack,	791	
To hold night sessions,	790	Chandler,	831	
In relation to adjourning to meet on the next day,	831	Knowlton,	849	
To adjourn to meet at 1 o'clock, P. M.,	848	Knowlton,	849	
To adjourn to meet on Monday, at 4 o'clock, A. M.,	849	Morrison,	849	
Relative to the report of the Indiana Mutual Insurance Company,	849	Weir,	849	
Tendering the thanks of the House to the principal and assistant Clerks,	849	Cravens,	849	

Tendering the thanks of the House to the Reporters,	849	Mr. Cravens,	849
Tendering the thanks of the House to the Speaker,	849	Whinery,	849
Tendering the thanks of the House to the principal and assistant Door Keepers,	850	Cravens,	850
Directing the Auditor of State to withhold certain warrants,	880	Chandler,	881
To adjourn to meet at half past six, P. M.,	881	Harney,	906
Requesting the Senate to return Senate bills Nos. 305, 308 321, and 338,	906	Carnahan of P.,	919
Informing the Senate that the House were ready to adjourn <i>sine die</i> ,	919	Hunter,	

RICHARDSON, WILLIAM B.

His claim to a seat presented,	-	-	-	-	5
His right to a seat determined,	-	-	-	-	30
Appeared and was qualified,	-	-	-	-	30
Resolution offered by,	-	-	-	-	184
Joint resolution introduced by,	-	-	-	-	330
Motions made by,	-	-	-	-	297, 360, 529

RITCHEY, JAMES

Elected one of the Commissioners for the Hospital for the					
Insane,	-	-	-	-	556

ROBINSON, WILLIAM J. (*of Decatur.*)

Appeared and was qualified,	-	-	-	-	8
Petitions presented by,	-	-	-	-	340-1, 366
Reports made by,	-	-	-	-	431, 511-12, 661, 813-14
Resolutions offered by,	-	-	-	-	95, 447
Bills introduced by,	-	-	-	-	396, 491
Motions made by,	82, 87, 98, 177, 237, 258, 362, 394, 395, 406,				}
	447, 464, 502, 523, 586, 606, 614, 748, 757,				
				759, 778	

ROBINSON, ALEXANDER H. (*of Laporte.*)

Appeared and was qualified,	-	-	-	-	4
Petitions presented by,	-	-	-	-	209, 325, 675
Report made by,	-	-	-	-	684
Bills introduced by,	-	-	-	-	112, 277
Motions made by,	-	-	-	-	277, 355

ROBSON, WILLIAM

Appeared and was qualified,	-	-	-	-	4
Petitions presented by,	-	-	-	-	90, 238, 676
Reports made by,	-	-	-	-	126, 758-9, 780, 780-1, 867
Resolutions offered by,	-	-	-	-	36, 131
Joint resolutions introduced by,	-	-	-	-	791, 884
Bills introduced by,	-	-	-	-	38, 256, 792, 817
Motions made by,	37, 40, 88, 89, 133, 142, 234-5, 235, 236, 237,				}
	743, 758, 805, 867, 883, 884, 888				
Leave of absence granted to,	-	-	-	-	444

ROSS, ANDREW J.

Appeared and was qualified, -	-	-	-	-	4
Petitions presented by, -	-	-	-	-	102, 209, 253, 366, 439
Reports made by, -	151, 771-2, 598, 654, 898, 899, 900, 907-8-9				
Resolutions offered by, -	-	-	-	-	95, 275, 606
Joint resolution introduced by, -	-	-	-	-	186
Bills introduced by, -	-	-	53, 82, 213, 493, 644-5		
Motions made by, -	88, 115, 125, 137, 148, 301, 337, 357, 360, 391, } 395, 501, 509, 566, 575, 605, 606, 672, 799, }				864 }

RULES, AMENDMENT OF

Resolution of Mr. Murray, -	-	-	-	-	327
Adoption of -	-	-	-	-	343
Notice of amendment of, by Mr. Brown of Shelby, -	-	-	-	-	725
Amendment adopted, -	-	-	-	-	753-4

RUSH, GREENBERRY

Appeared and was qualified, -	-	-	-	-	5
Petitions presented by, -	-	-	-	-	263
Resolution offered by, -	-	-	-	-	163
Bills introduced by, -	-	-	-	-	277, 643
Motions made by, -	-	-	-	-	277, 354, 359, 673

RUSSELL, SAMUEL A.

Appeared and was qualified, -	-	-	-	-	4
Petitions presented by, -	-	-	-	-	340, 368
Reports made by -	-	-	266, 410-11, 477-8, 660-1		
Resolutions offered by, -	-	-	-	-	163, 305
Bills introduced by, -	-	-	53, 380, 492, 641, 816		
Motions made by, -	107, 226, 300, 380, 404, 412, 465, 560, 572, 661, }				668, 696, 735, 737 }

SALTER, WILLIAM H.

Appeared and was qualified, -	-	-	-	-	3
Petitions presented by, -	-	-	-	-	396, 440, 543, 544

Reports made by,	-	-	-	-	200, 594, 682, 753
Joint resolutions introduced by,	-	-	-	-	108, 109, 490
Bills introduced by,	-	-	53, 134, 255, 277, 278, 641, 757, 771	-	
Motions made by,	164, 206, 232, 258, 278, 328, 336, 361, 393, 395,				
	448, 451, 461, 481, 504, 505, 507, 532, 533, 534,				
			669, 671, 673, 738, 756		
Leave granted to withdraw a bill from the files,	-	-	-	-	823

SCHOOLS, COMMON.

Report of superintendent of,	-	-	-	-	256-7
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SCIRE FACIAS.

[For legislation on the subject of, see action on House bill No. 385.]

SECRETARY OF STATE.

Report of,	-	-	-	-	-	-	34
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SHELBY, ISAAC.

Appeared and was qualified,	-	-	-	-	-	5
Petition presented by,	-	-	-	-	-	368
Reports made by,	-	-	-	-	-	487, 683
Resolution offered by,	-	-	-	-	-	212
Bills introduced by,	-	136, 277, 494, 498, 644, 758, 820, 850				
Motions made by,	36, 202, 216, 219, 230, 277, 298, 312, 389, 542,					
	609, 610, 641, 673, 693, 696, 707, 710, 778					
Leave granted to withdraw a petition,	-	-	-	-	-	312

SHEPARD, HORACE B.

Appeared and was qualified,	-	-	-	-	-	4
Petitions presented by,	-	-	-	-	340, 366, 657	
Reports made by,	-	-	-	-	682, 782	
Resolutions offered by,	-	-	-	-	96, 702	
Bills introduced by,	-	-	-	-	42, 82, 202, 331, 497	
Motions made by,	57, 87, 115, 124, 191, 207, 235, 260, 281, 326,					
	434, 446, 487, 506, 528, 598, 642, 645,					
	649, 698, 702, 704, 731, 740, 758, 775,					
					791, 809	
Added to the temperance committee,	-	-	-	-	-	326

SHERROD, WILLIAM F.

Appeared and was qualified, -	-	-	-	-	4
Petition presented by, -	-	-	-	-	325
Reports made by -	-	-	-	412-13,	445-6
Resolutions offered by, -	-	-	-	-	51, 423
Joint resolutions introduced by	-	-	-	-	255, 668
Bills introduced by, -	-	-	-	-	187, 277
Motions made by, 187, 277, 378, 422, 466, 602, 615, 668, 681, 791,					801}

SINKING FUND.

Report of commissioners of, -	-	-	-	-	99
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SPEAKER.

George W. Carr elected, -	-	-	-	-	5
Laid before the House communication from the Governor, -	-	-	-	-	9-10
Laid before the House the Report of the Auditor of State, -	-	-	-	-	10
Laid before the House papers relative to the right of Wm. B. Richardson to a seat, -	-	-	-	-	11
Laid before the House the Annual Report of the Secretary of State, -	-	-	-	-	34
Laid before the House the Annual Report of the Board of Trustees of the Indiana University, -	-	-	-	-	35
Laid before the House a communication from the American Association for the advancement of science, -	-	-	-	-	36
Laid before the House the memorial of the bondholders, -	-	-	-	-	39
Laid before the House sundry resolutions from slave-holding states, -	-	-	-	-	39
Announced standing committees, -	-	-	-	-	47
Announced the order of business, -	-	-	-	-	50
Laid before the House the reports of the Treasurer of State, -	-	-	-	-	60
Laid before the House the annual report of the Agent of State, -	-	-	-	-	62
Laid before the House the detailed statement of the Auditor of State, relative to the incidental expenses of the Agent of State, -	-	-	-	-	62
Laid before the House the annual report of the trustees of the Indiana Asylum for the education of the deaf and dumb, -	-	-	-	-	76
Laid before the House the reports of the Branches at Indianapolis, South Bend, and Madison, of the State Bank of Indiana, -	-	-	-	-	76

Laid before the House the report of the State Librarian, -	80
Laid before the House a communication from the Auditor of State, and the report of the superintendent of the New Albany and Vincennes Road, - - - -	89
Laid before the House the report of the State Bank, -	98
Laid before the House the report of the commissioners of the Sinking Fund, - - - -	99
Laid before the House a communication from the Auditor and Treasurer of State, - - - -	99
Laid before the House the reports of Branches at Terre Haute, Richmond, Lawrenceburgh, Evansville, and Fort Wayne, of the State Bank of Indiana, - - -	99
Laid before the House the report of the Warden of the State Prison, - - - -	104
Laid before the House a communication from the Auditor of State, - - - -	105
Laid before the House a communication from the State Librarian, - - - -	109-10
Laid before the House the report of the Commissioners and the Superintendent of the Hospital for the Insane, -	133
Laid before the House the report of the superintendent of the Northern Division of the Central Canal, - - -	139
Laid before the House a communication from the Governor, accompanied by the maps, field notes, &c., of the survey of the United States land in the State of Indiana, - -	152
Laid before the House a communication from the Treasurer of State, - - - -	165
Laid before the House a communication from the Auditor of State, - - - -	168
Laid before the House a communication from the Auditor and Treasurer of State, - - - -	169
Laid before the House a communication from the Auditor of State, - - - -	218
Laid before the House a communication from the Governor, -	219
Laid before the House the report of the trustees of the Wabash and Erie Canal, - - - -	225
Laid before the House a communication from the trustees of the Wabash and Erie Canal, - - - -	235
Laid before the House a communication from the Auditor of State, in relation to the McGinley case, - - -	245
Laid before the House the report of the superintendent of common schools, - - - -	256
Laid before the House a communication from the Auditor of State, - - - -	285
Laid before the House a communication from the Governor, -	311
Laid before the House a communication from the Governor, in relation to the three per cent. fund, - - -	315
Laid before the House a communication from the Governor, -	320
Laid before the House a communication from John W. King, -	364

Laid before the House a communication from the Quarter Master General, - - - - -	420
Laid before the House a communication from John R. Elder, -	422
Laid before the House a communication from the State Librarian, - - - - -	558
Laid before the House a communication from the Governor, -	696
Laid before the House a communication from L. Dunlap, President of the Board of the Indiana Hospital for the Insane, - - - - -	763
Laid before the House the report of the Indiana Mutual Fire Insurance Company, - - - - -	841

SPENCER, JOHN W.

Appeared and was qualified, - - - - -	4
Petition presented by, - - - - -	339
Reports made by, 15, 125, 146, 147, 195, 267, 341-2, 370, 383, 383-4, 401, 410-11, 412, 430, 441, 473, 476, 513, 514, 515, 546, 705, 706, 806-7, 811, 835, 837-8, 904-5, 905	}
Resolutions offered by, 9, 36, 60, 94, 95, 131, 164, 201, 754	
Joint resolution introduced by, - - - - -	343
Bills introduced by, 34, 111, 135, 344, 389, 424, 491, 791	
Motions made by, 55, 58, 117, 118, 125, 126, 138, 175, 217, 223, 224, 260, 279, 359, 363, 384, 387, 389, 395, 424, 457, 561, 712, 765, 766, 798, 813, 855, 859	}
Added to the committee on enrolled bills, - - - - -	696
Leave of absence granted to, - - - - -	311

STARKE COUNTY,

[For the organization of, see House bill No. 312.]

STATE LIBRARIAN,

Report of, - - - - -	80
Communication from, - - - - -	110
Communication from, - - - - -	559-60

STATE BANK OF INDIANA,

Reports from the Branches at Indianapolis, South Bend, and Madison, - - - - -	76
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Report of the State Bank, - - - - -	98
Reports from the Branches at Terre Haute, Richmond, Lawrenceburg, Evansville, and Fort Wayne, - - - - -	99

STATE PRINTER,

Resolution in relation to letting out the State Printing to the lowest bidder, - - - - -	396
Action on the same, - - - - - 415-16, 434-5,	455
Communication of John R. Elder on the subject of, - - - - -	422

STATE PRINTER,

Resolution in relation to proceeding to the election of, - - - - -	423
Reciprocation of the resolution by the Senate, - - - - -	451
Election of, - - - - -	456

STATE PRISON,

Report of the Warden of, - - - - -	104
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STEWART, SAMUEL W.

Appeared and was qualified, - - - - -	4
Petitions presented by, - - - - - 290, 397,	677
Report made by, - - - - -	713
Bill introduced by, - - - - -	643
Motions made by, - - - - - 283, 360, 605,	725

STONE, CHARLES M.

Appeared and was qualified, - - - - -	4
Petitions presented by, - - - - - 292, 367, 467-8	
Report made by, - - - - -	480
Resolution offered by, - - - - -	52
Bill introduced by, - - - - -	302
Motions made by, - - - - - 237, 302, 303, 360, 689,	758

STOOPS, WILLIAM

Appeared and was qualified, - - - - -	4
Petitions presented by, - - - - -	365, 510

Bill introduced by,	-	-	-	-	-	345
Motions made by,	-	-	-	237,	302, 303, 360,	565

SUMMERS, SIMON

Appeared and was qualified,	-	-	-	-	-	4
Petitions presented by,	-	-	-	252-3,	382, 389,	467
Motions made by,	80,	252, 355,	389, 451,	534, 542,	589, 695,	{
					725, 775	}

T.

TARKINGTON, WILLIAM C.

Appointed Executive Messenger,	-	-	-	-	10
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TEMPERANCE.

Petitions and memorials on the subject of—

From Adams county,	-	-	-	291,	303
Boone county,	-	-	-	208,	365
Carroll county,	-	-	-	-	264
Cass county,	-	-	-	-	324
Clark county,	-	-	-	-	369
Dearborn county,	-	-	-	-	366
Decatur county,	-	-	-	-	341
De Kalb county,	-	-	-	-	291
Elkhart county,	-	-	-	239,	290
Floyd county,	-	-	-	-	381
Fountain county,	-	-	-	264,	324
Franklin county,	-	-	-	102,	253
Fulton county,	-	-	-	-	365
Grant county,	-	-	-	-	366
Hamilton county,	-	-	208,	239,	365, 510
Hendricks county,	-	-	-	340,	368
Henry county,	-	-	253,	290,	389, 467
Howard county,	-	-	-	-	579
Huntington county,	-	-	-	-	172
Jackson county,	-	-	-	-	325
Jay county,	-	-	-	264,	291, 303
Jennings county,	-	-	-	-	193
Knox county,	-	-	-	-	340, 366
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Laporte county,	-	-	-	-	209, 325

From Madison county,	-	-	290, 326, 577
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Marshall county,	-	-	- 291
Miami county,	-	-	- 290
Montgomery county,	-	-	- 239
Owen county,	-	-	- 366
Parke county,	-	-	- 253, 578
Porter county,	-	-	- 173, 865
Posey county,	-	-	- 90, 240
Randolph county,	-	-	103, 290, 340, 469
Ripley county,	-	-	- 264
Rush county,	-	-	- 263
Shelby county,	-	-	- 209
Steuben county,	-	-	- 381
Sullivan county,	-	-	- 103, 340
Tippecanoe county,	-	-	- 253
Vanderburg county,	-	-	- 264
Vermillion county,	-	-	- 193
Wabash county,	-	-	- 367
Warren county,	-	-	- 577
Washington county,	-	-	- 381, 544
Wayne county,	-	-	90, 193, 365, 366
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Of citizens of Kosciusko and Wills townships,	Laporte county,	-	167
Of ladies of Adams and Jay counties,	-	-	- 239
Of citizens of Rossville, Clinton county,	-	-	- 264
Of citizens of Jeffersonville, Clark county,	-	-	- 264
Of citizens of Mound township, Warren county,	-	-	- 265
Of citizens of New Washington, Clark county,	-	-	- 303
Of ladies of Jackson county,	-	-	- 325
Of citizens of Carthage,	-	-	- 365
Of citizens of Mount Sterling and Allensville,	-	-	- 365
Of citizens of Fairfield,	-	-	- 366
Of citizens of Lauramie township, Tippecanoe county,	-	-	- 366
Of citizens of Fugit township, Decatur county,	-	-	- 366
Of ladies of New Washington, Clark county,	-	-	- 366
Of citizens of Indiana,	-	-	- 367
Of citizens of Fayetteville, Fayette county,	-	-	- 367
Of citizens of Mishawaha,	-	-	- 369
Of citizens of Shelbyville,	-	-	- 381
Of citizens of Blue River township, Johnson county,	-	-	- 382
Of citizens of Brownstown,	-	-	- 439
Of citizens of Bethlehem, Clark county,	-	-	- 454
Of citizens of Indianapolis,	-	-	- 543, 578
Of ladies of Sullivan,	-	-	- 549
Of ladies of Shelbyville,	-	-	- 578

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Of citizens of Whitley county,	-	-	-	-	339
Of citizens of Jay county,	-	-	-	-	439
Of citizens of Adams township, Parke county,	-	-	-	-	578
Of citizens of Jackson township, Madison county,	-	-	-	-	809
[For legislation on the subject of temperance see action on House bill No. 426, "a bill to more effectually prevent the sale of spirituous liquors."]					

THOM, ALEXANDER C.

Appeared and was qualified,	-	-	-	-	4
Petitions presented by,	-	-	-	-	194, 453
Reports made by,	-	-	-	179, 244, 713-14,	812
Resolution offered by,	-	-	-	-	274
Bills introduced by,	-	-	-	-	112, 187, 493
Motions made by,	-	-	-	-	188, 358
Leave of absence granted to,	-	-	-	-	297

THOMAS, GEORGE W.

Appeared and was qualified,	-	-	-	-	5
Petitions presented by,	-	-	-	-	91, 240, 290
Reports made by,	-	-	-	368-9, 304, 376, 595,	664
Bill introduced by,	-	-	-	-	344
Motions made by,	-	-	-	305, 356, 500, 566,	613

TINBROOK, ANDREW

Appeared and was qualified,	-	-	-	-	5
Petitions presented by,	-	-	-	-	253, 510
Report made by,	-	-	-	-	558
Bill introduced by,	-	-	-	-	344
Motions made by,	-	-	-	-	558, 741

TREASURER OF STATE.

Report of,	-	-	-	-	60
Communication from,	-	-	-	-	165
James P. Drake elected Treasurer of State,	-	-	-	-	79

U.

UNIVERSITY, INDIANA STATE

Report of the Board of Trustees,	-	-	-	-	35
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V.

VANDEVEER, JOEL

Elected Superintendent of the New Albany and Vincennes Road,	-	-	-	-	-	93
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VETO.

On House bill No. 248,	-	-	-	569, 603 to 605
Action on the same,	-	-	-	- 606

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Resolution of Mr. Murray on the subject of,	-	-	-	613
Report of Mr. Cravens, on the subject of,	-	-	-	678-9

W.

WABASH AND ERIE CANAL.

Report of Trustees,	-	-	-	-	-	225
Communication from Trustees,	-	-	-	-	-	235

WARRINER, LEWIS

Appeared and was qualified,	-	-	-	-	-	4
Petitions presented by,	-	-	-	173, 365, 427, 544		
Reports made by,	-	-	-	-	589, 597-8	
Resolutions offered by,	-	-	-	-	96, 131, 213	
Bills introduced by,	-	-	-	-	277, 491	
Motion made by,	-	-	-	-	-	459

WATKINS, JOSEPH F.

Appeared and was qualified,	-	-	-	-	4
Reports made by,	-	-	-	-	466-7, 596
Bills introduced by,	-	-	-	112, 276, 306, 494, 495	
Motions made by,	-	-	-	-	476, 495
Leave of absence granted to,	-	-	-	-	324

WEAVER, SAMUEL

Appeared and was qualified,	-	-	-	-	3
Petitions presented by,	120, 121, 210, 239, 264, 367, 398, 439				
Reports made by,	-	-	-	-	183, 480-1
Bills introduced by,	-	-	-	-	202, 331
Motions made by,	-	-	-	-	566, 738

WEIR, JAMES H.

Appeared and was qualified,	-	-	-	-	5
Petitions presented by,	-	-	-	-	340, 509
Reports made by,	88, 98, 127, 166, 236, 274, 312, 313, 314, 329-30, } 364, 557, 653-4, 663, 674, 783, 806, 835-6 }				
Resolutions offered by,	-	-	-	-	42, 448, 849
Bills introduced by,	-	-	-	-	36, 214, 454
Motions made by,	118, 130, 148, 223, 284, 426, 448, 454, 523, 529, } 557, 674, 696, 731, 839, 748, 776 }				
Leave granted to withdraw a petition,	-	-	-	-	607

WELLS, SAMUEL T.

Appeared and was qualified,	-	-	-	-	4
Petitions presented by,	-	120, 121, 142, 325, 340, 439, 702			
Reports made by,	-	254, 414-15, 640-1, 683, 775-6, 785			
Resolutions offered by,	-	-	-	-	134, 185,
Bills introduced by,	-	-	-	53, 494, 758, 759	
Motions made by,	-	148, 359, 360, 391, 463, 700, 740			

WHINERY, MARK

Appeared and was qualified,	-	-	-	-	5
Petitions presented by,	-	-	-	237, 369, 468, 509, 510	
Reports made by,	251, 298, 474, 521, 591, 636, 679, 701, 701-2, } 744, 750-1, 770, 834-5, 900, 900-1, 909-10, } 912-13, 913-14 }				
Resolution offered by,	-	-	-	-	849

Joint resolution introduced by,	-	-	-	816
Bills introduced by,	-	-	-	82, 112, 305, 792
Motions made by,	237, 260, 332, 400, 610, 629, 658, 704, 741, }			755, 758, 770, 816, 858, 885 }
Leave granted to withdraw a petition,	-	-	-	882
Added to the committee on enrolled bills,	-	-	-	696

WILSON, GEORGE P. R.

Appeared and was qualified,	-	-	-	4
Petitions presented by,	-	-	-	38, 326
Reports made by,	249, 250, 271, 294, 429, 483, 584, 635-6, 685, 816-17			
Resolutions offered by,	-	103, 108, 133, 148, 253, 274, 369		
Joint resolutions introduced by,	-	-	-	738, 774
Motions made by,	11, 30, 37, 41, 55, 57, 83, 95, 103, 107, 108, 114, }			
	116, 117, 134, 135, 148, 176, 208, 211, 227, }			
	228, 232, 250, 253, 276, 283, 284, 295, 301, }			
	306, 308, 309, 311, 318, 319, 324, 326, 333, }			
	334, 337, 339, 369, 388, 396, 403, 410, 425, }			
	434, 435, 437, 446, 451, 457, 458, 460, 472, }			
	502, 504, 519, 525, 534, 537, 541, 557, 588, }			
	611, 612, 652, 691, 699, 738, 739, 743, 761, }			
	762, 774, 792, 809, 816, 818-19, 819, 854, }			
	857, 858, 859, 884, 865, 888 }			
Added to the temperance committee,	-	-	-	326

WITHERS, JAMES R.

Appeared and was qualified,	-	-	-	5
Petition presented by,	-	-	-	339
Reports made by,	-	298, 312, 342, 377, 386, 405, 521		
Resolutions offered by,	-	-	81, 199, 343, 579	
Bills introduced by,	-	-	83, 134, 395, 766	
Motions made by,	10, 36, 41, 55, 85, 86, 99, 100, 116, 191, 192, }			
	199, 206, 225, 232, 250, 258, 259, 260, 262, }			
	275, 276, 339, 360, 391, 395, 464, 532, 567, }			
	568, 575, 586, 588, 629, 766, 798, 812, 819, }			
	858 }			
Leave of absence granted to,	-	-	-	381, 417

WICK, WILLIAM W.

Elected Judge of the 5th Judicial Circuit,	-	-	-	103
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WRIGHT, JOSEPH A.

Declared elected Governor, -	-	-	-	-	31
Oath administered to, -	-	-	-	-	42
Inaugural address of, -	-	-	-	-	42 to 47

WRIGHT, JOHN W.

Appeared and was qualified, -	-	-	-	-	4
Petitions presented by, -	-	-	-	-	365
Report made by, -	-	-	-	-	911-12
Resolution offered by, -	-	-	-	-	702
Joint resolutions introduced by, -	-	-	-	-	134, 490
Motions made by, 148, 360, 393, 449-50, 503, 540, 569, 616, 649, }					655, 702, 771 }
Leave of absence granted to, -	-	-	-	-	297

Y.

YOCUM, FRANCIS B.

Appeared and was qualified, -	-	-	-	-	3
Petitions presented by, -	-	-	-	-	290, 544
Reports made by, -	-	-	-	-	198-9, 385, 594, 598
Bills introduced by, -	-	-	-	-	202, 493
Motions made by, -	-	-	-	-	282, 375, 542, 572, 589
Leave of absence granted to, -	-	-	-	-	300

ERRATA.

Page 5, fifth line from top, for "M. F. Carnahan" read "M. T. Carnahan," and page 241, for "Magnus F. Carnahan" read "Magnus T. Carnahan."

Page 59, bottom line, for "Hunt" read "Hart."

Page 94, in Mr. Leviston's report, for "Senate" read "House."

Page 97, insert "by Mr. Edwards" before bill No. 69.

Page 101, 13th line from top, for "Col. William Webb" read "Col. William Wells."

Page 119, top line, for "46" read "16."

Page 194, 14th line from top, for "Bartholomew" read "Bethlehem."

Page 216, 7th line from top, for "89" read "80," and in 12th line, for "85" read "89."

Page 231, 7th line from bottom, for "85" read "83."

Page 333, 17th line from top, for "61" read "51."

Page 344, 5th line from bottom, for "Garver" read "Graves."

Page 346, 8th line from bottom, for "67" read "76."

Page 358, 7th line from top, for "88" read "83."

Page 392, in House bill No. 200, for "Wilson" read "Wilcox."

Page 454, in Mr. O'Haver's bill, for "345" read "335."

Page 495, the title of House bill No. 391, should read "a bill to define the duties of county assessors."

Page 499, 7th line from bottom, for "31" read "30."

Page 531, in Mr. Graves's amendment, first line, for "committee" read "Convention."

Page 561, 3d line from top, for "226" read "266."

Page 575, 17th line from top, for "352" read "252."

Page 583, for "Allen, chairman of the committee on roads," read "Alley from the committee on roads."

Page 614, 15th line from bottom, for "250" read "259."

Page 652, first line, for "160" read "166."

Page 653, 16th line from bottom, for "163" read "173."

Page 656, 13th line from top, for "296" read "286."

Page 713, 6th line from bottom, for "503" read "504."

Page 728, 10th line from bottom, for "547" read "347," and 12th line, for "347" read "345."

Page 735, 19th line from top, for "294" read "394."

Page 737, in the motion of Mr. Russell, for "427" read "426."

Page 738, the title of bill No. 263, should read "a bill to amend an act relative to common schools."

Page 774, in Mr. Wilson's joint resolution, for "completion" read "computation."

Page 776, in Mr. Well's report, for "262" read "272."

Page 805, 9th line from top, for "342" read "332," 25th line, for "307" read "407," and 29th line, for "310" read "410."

Page 817, 18th line from bottom, for "335" read "535."

Page 825, 5th line from bottom, for "184" read "185."

Page 849, before the resolution tendering thanks to the Speaker, insert "on motion by Mr. Whinery."

Page 851, the title of No. 551, should read "a joint resolution in regard to the erection of a City Hall."

Page 854, 7th line from bottom, for "351" read "350."

Page 871, second line from bottom, for "369" read "396."

Page 902, 21st line from top, for "309" read "307."

[A large portion of the above errors, were errors of the copy.]

